INQUIRY

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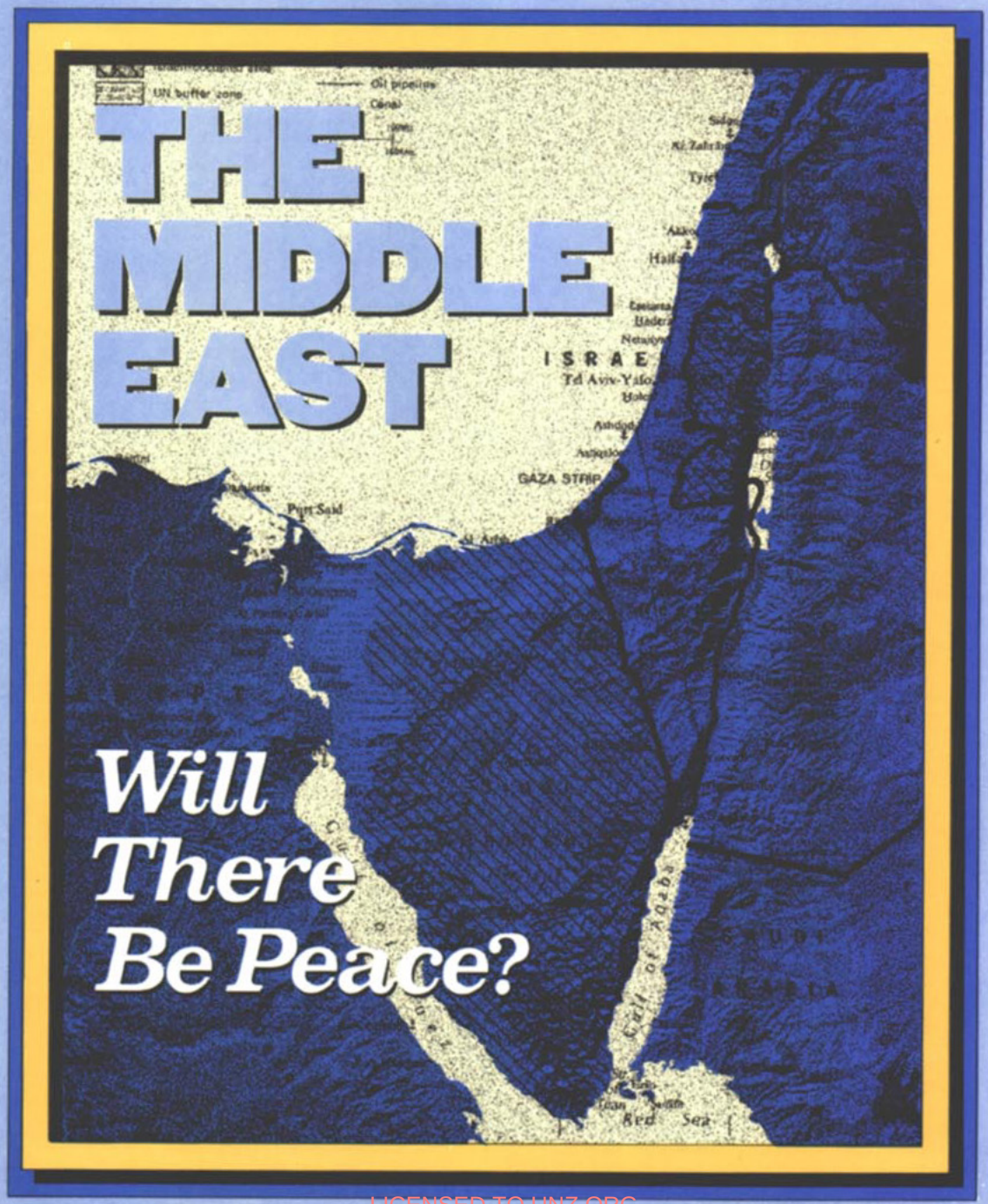
Rigging the Federal Election Reform Laws

Carter's Nuclear Deal with South Africa

Barton Bernstein & Hugh Kenner



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RES PUBLICA

Damned if he doesn't. . .

■ [California] Atty. Gen. Evelle J. Younger said Saturday that Gov. [Jerry] Brown, as a bachelor, has no insight into California family problems. . . .

"I don't talk about the governor's bachelorhood except as it relates to family problems," the Republican [challenger] said. "I do not suggest that he's wasting taxpayers money by being a bachelor. I do not think he's doing anything immoral or unethical by being a bachelor. . . . I simply say that being part of a family gives a person better insight. Beyond that, there are no adverse implications at all."

—*Los Angeles Times, Sept. 17, 1978*

. . . damned if he does

■ Getting engaged to Linda Ronstadt—or anyone—before the November election could hurt Jerry Brown's chances for reelection, veteran California pollster Mervin Field said Thursday.

"It would damage his intriguing image," said Field . . . "I think if he got married, or announced he was getting married before November, it would look like a political move and it would hurt him."

—*Los Angeles Times, Sept. 22, 1978*

The inside story

■ One Rhodesian housewife sums up the situation [in her country] this way: "I can tell you, the ordinary black man doesn't want a black government. He's seen what's happened in Mozambique and elsewhere and he knows he's better off with the whites caring for him.

"These Africans in Salisbury don't have anything to do with the terrorists. In my mind, they're terribly lazy and inefficient and sometimes difficult to handle, but they're good people. They're part of our family, even when they're working as servants. We tend to their aches and pains and we treat them like we do our own children."

—*Los Angeles Times, Sept. 20, 1978*

Crime doesn't pay, the taxpayer does

■ The Justice Department has decided to pay defense costs in civil suits for former FBI agents who carried out illegal break-ins, Deputy Attorney General Benjamin Civiletti disclosed yesterday. . . .

The decision means that although the department is prosecuting former FBI Director L. Patrick Gray and two of his top aides for approving the illegal break-ins, it will also hire private lawyers to defend numerous agents who carried out their orders.

—*San Francisco Chronicle, Sept. 7, 1978*

They were alive, at least

■ School children in Bridgeport, Conn., took a field trip to jail Friday to visit their striking teachers. . . . Lois Coffey and a group of other Bridgeport parents hired school buses to take their children 65 miles to the National Guard barracks in Windsor Locks, Conn., where more than 250 teachers have been jailed for defying a judge's back-to-work order. . . .

Mrs. Coffey said she wanted her two daughters to know their teachers were alive and well.

—*Los Angeles Times, Sept. 23, 1978*

Sunday morning fever

■ A Baptist minister vowed Sunday to continue the battle to ban a discotheque on Main St. [here in Henryetta, Oklahoma]. . . . [Reverend] Bill Sisson said Sunday that he did not approve of disco dancing because "it is too suggestive, and I've not seen anything good come of it."

—*Los Angeles Times, Sept. 18, 1978*

It's still the land of opportunity, by golly

■ Billions of dollars a year are being ripped off from the federal government through fraud and related white-collar crime, according to a General Accounting Office report released Monday. Although the magnitude of such thefts remains a mystery, the Justice Department estimates the total to be as high as $25 billion annually, the report stated.

"Opportunities for defrauding the government are virtually limitless because of the number, variety and value of federal programs," the report said.

—*Los Angeles Times, Sept. 19, 1978*

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INQUIRIES

Strangling the independents

The gas compromise

THE SENATE PASSED THE NATURAL-gas conference committee report on September 27 after President Carter made the issue a vote of confidence for his administration. Since it was part of an energy package ballyhooed to the public as the "moral equivalent of war," it was fitting that Carter came to term passage of the natural-gas bill a "symbol of our national will." What Carter chose for his symbol was a new Rube Goldberg regulatory apparatus with red tape enough to strangle independent producers.

Carter, Energy Secretary James Schlesinger, and inflation trouble-shooter Robert Strauss have wanted an energy plan to show Old World politicians like Helmut Schmidt that the United States could enact corporate state planning on the Continental model. To accomplish this, a campaign promise had to be turned into another of Jimmy Carter's amazing lies. When he was running for President, Jimmy Carter told both the Democratic Platform Committee and the governors of Louisiana, Oklahoma, and Texas that he would deregulate new natural gas. Once in office, he reversed himself and advocated continued regulation of interstate gas and subsequently—in the current energy package—extension of federal regulation to the intrastate market. At present, over 40 percent of natural gas is federally unregulated in this intrastate market. Drilling for the intrastate market has produced most of the new gas finds in recent years since explorers there were in a position to adapt freely to changing consumer needs. Intrastate production has consistently exceeded the levels of each preceding year at the same time that deliveries to the interstate market have continued to fall.

Unfortunately, the natural-gas conference bill will immediately place that intrastate market under full-scale regulation. This has all along been energy czar James Schlesinger's primary objective: to get a new natural-gas bill that will comprehensively extend the scope of federal regulation. All of the natural gas in America will now fall under regulations and price controls.

The conference bill is sometimes described as phased deregulation, but in truth it will not deregulate anything for at least seven years, and then, according to the Energy Department's information bureau, only 37 percent of the natural gas will be deregulated. This proportion will then be *less* than what is now federally unregulated in the intrastate market. As Senator William Proxmire points out, the fact that the energy regulatory agency is asking for more personnel in order to administer the bill is a sure sign that it involves more regulation rather than less.

Under the new bill, someone drilling for gas would have his eventual price set by a multilayered apparatus entailing regulatory rulings at the state and federal levels, and in the courts. There will be 23 different pricing tiers for 23 different kinds of natural gas. The bill requires in effect a well-by-well assessment to determine which of the categories applies to each well. To the previous categories of "new" and "old" gas, the conference bill adds such innovative pigeonholes as "incentive" gas, "stripper" gas, "high cost" gas, and four varieties of "roll over" gas.

It is no wonder that Sheila Hollis, the enforcement director of the Federal Energy Regulatory Commission, describes the bill with such phrases as "virtually impossible to enforce in a conscientious and equitable manner" and "literally impossible to administer."

Hardest hit by the new bill will be the 10,000 independent exploration and production firms that are responsible for 77 percent of the new gas fields located and 62 percent of the natural-gas reserves. They drill over 85 percent of the producing gas wells. Experts have contended that the burdens of meeting the attorneys' and accountants' fees that will be necessary to comply with this legislation are such that fully one-half of the independents will be driven out of business. Is it any wonder that Arco, Exxon, Gulf, Mobil, Phillips 66, Shell, and Union 76 support this bill?

In its promotion of the natural-gas bill as a cure-all for the weakening dollar, the Carter administration has shown that it believes that gimcrackery can substitute for substance. Rather than putting a stop to his administration's expansionary monetary policy, Carter hopes that symbolism in the energy field will slow erosion of the dollar and make inflation painless. Instead, with Carter's relentless prodding, the Senate has now passed a measure that will do nothing to help the dollar, but will wreck the livelihoods of many independents operating primarily in intrastate markets and may well ruin the natural-gas industry as a whole. ❑

Percy pushes a new prohibition

The PCP scare

SENATOR CHARLES PERCY'S OFFICE tells us the senator's anti-PCP legislation is stalled in the House and is now considered unlikely to pass this year. The senator's White House Conference on PCP Abuse has not yet taken shape either, though the Illinois Republican has been noisily proposing it at every opportunity at least since last December. Could it be that Congress and the administration have lost some of their old fervor for stamping out the drug menace? It is profoundly to be hoped.

Senator Percy now comes before us with scare stories about a newly popular drug called "angel dust," "phencyclidine," or simply "PCP." "Too many are discovering too late," he writes in the July 1978 issue of *Drug Enforcement,* "that while PCP is a powerful animal tranquilizer which can

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soothe a raging gorilla, it is also capable of unleashing the darkest demons of the human mind."

PCP is currently classified in Schedule III of the Controlled Substances Act, along with drugs of recognized medical usefulness and "limited abuse potential." Percy now insists that it should be reclassified, to join highly restricted drugs like heroin and LSD in Schedule I of the act.

Percy's proposal takes the form of an amendment to the Criminal Code Reform Bill, S. 1437. He has further offered a second amendment to double the mandatory prison sentence for manufacture or sale of the drug from five to 10 years and impose an additional mandatory $100,000 fine for sale of PCP to a minor. He has had his way with the Senate on both amendments, only to find them stuck in committee in the House.

But before Congress gets stampeded by horror stories, it should consider the conflicting medical testimony about PCP. Have any of the congressmen read the testimony of one G. G. DeAngelis at the National Drug Abuse Conference in Seattle this past March? DeAngelis is president of Health Care Delivery Services of Los Angeles, a drug-treatment program. He told the conferees in Seattle that if his experience was any indication, the news stories about PCP abuse with which Senator Percy has been filling the *Congressional Record* are mostly distorted and sensationalized. DeAngelis says he's seen people get violent on PCP, "but my feeling is that most of these people had other reasons for being angry or violent." According to DeAngelis, "There are irresponsible people in my profession who want publicity to attract dollars to their programs. They believe a good story will help them get funds."

Congress might also consider the recent report in the *U.S. Journal of Drug and Alcohol Dependence* in which medical researcher James M. Walters of the Medical College of Pennsylvania in Philadelphia states that the risk of experiencing a "clinical crisis from PCP use is somewhat remote."

All this contrasts rather dramatically with the usual account of PCP offered by the official drug enforcement bureaucracy. "It's a real terror of a drug," National Institute on Drug Abuse Director Robert Dupont told *Time* late last year. "Everything people used to say about marijuana is true about angel dust."

But everything people used to say about marijuana was a lie, and indications are that the same may well be true of the current PCP scare. If the past 10 years' experience with marijuana has taught us anything, it should be a healthy skepticism toward the entire business of banning pleasure drugs. From the marijuana experience we have learned that police chiefs, politicians, school teachers, physicians, and federal officials will all willingly tell the most appalling lies about the behavioral effects of illegal drugs in order to keep their jobs or forcibly impose their moral preferences on others. We have learned that relaxation of penalties for personal use of marijuana does not fill our streets with "zombies" who suffer from the "amotivational syndrome." And we have learned from a skeptical new generation of scientists, physicians, and journalists that much the same story is true in the case of cocaine and of LSD, and, some say, in the case of heroin.

Even if further medical tests substantiate some of the more lurid claims of PCP opponents, we see no reason to further bolster the coercive drug enforcement bureaucracy by banning the drug. The social costs of drug prohibition are already far too high without adding further to the problem. Whatever the risks of PCP, they pale beside the abuse of alcohol—and who now would accept the social disruption and restrictions on personal liberty which Prohibition brought in its wake? Let's hope Congress prevents Senator Percy from imposing his PCP prohibition on us all. ❑

Carter's policies led to bloodshed

Nicaraguan tragedy

ON SEPTEMBER 22, THE SENATE stepped in where angels like Jimmy Carter fear to tread, cutting off most U.S. economic aid to the dictatorial regime of Nicaraguan President Anastasio Somoza. Unfortunately, the Senate vote came too late to be of any help to the estimated 1000 Nicaraguans, many of them innocent bystanders, who were gunned down last month as Somoza bloodily suppressed a nationwide revolt against his regime.

The Senate's action, however late it may be, is nevertheless a vast improvement over the policy—if it can be dignified as such—of the Carter administration, self-styled champion of human rights. Some readers will remember that last year, after extensive international publicity about Somoza's brutality, the Carter administration withheld $12 million in economic aid from the regime. This move greatly cheered the dictator's domestic opponents, who hoped that the United States—whose marines were midwife at the birth of the Somoza dynasty and whose aid has succored the regime—had finally seen the error of its ways. But they were soon disappointed. This year, under pressure from Somoza's friends in Congress and the State Department, Carter backed down and released funds to Nicaragua. The human-rights situation there had improved, Carter said, though this came as news to Nicaragua's broad-based opposition movement. Carter dealt Somoza's opponents a final blow on August 1, when he sent the dictator a letter praising him for respecting human rights.

It was Carter's letter that sparked the current violence in Nicaragua. According to reporter Tad Szulc, who met with leaders of the opposition Sandinista National Liberation Front in late August, Carter's letter convinced Somoza's foes that the United States was going to stand by the dictator. They thus decided that decisive action was their only possible course. The result was the spectacular raid on the national palace in Managua and the general uprising that followed. But the poorly armed rebels were no match for Somoza's national guard.

Appalled by the bloodshed its own policies helped make necessary, the Carter administration is now offering to mediate the conflict between Somoza and his foes, who now number in their ranks every major political group in the country. But the administration's concern in this matter seems to be less with justice than with keeping Somoza from playing Batista to the Liberation Front's Castro. As always, the United States, having helped sow the seeds of revolution, wants to avoid reaping the harvest.

At this late date, cutting off the aid, which amounts to about only $8 million, probably will have little effect on the tragic events in Nicaragua. But if Jimmy Carter had earlier backed his human-rights rhetoric with this kind of action, the bloodshed there probably could have been avoided. ❑

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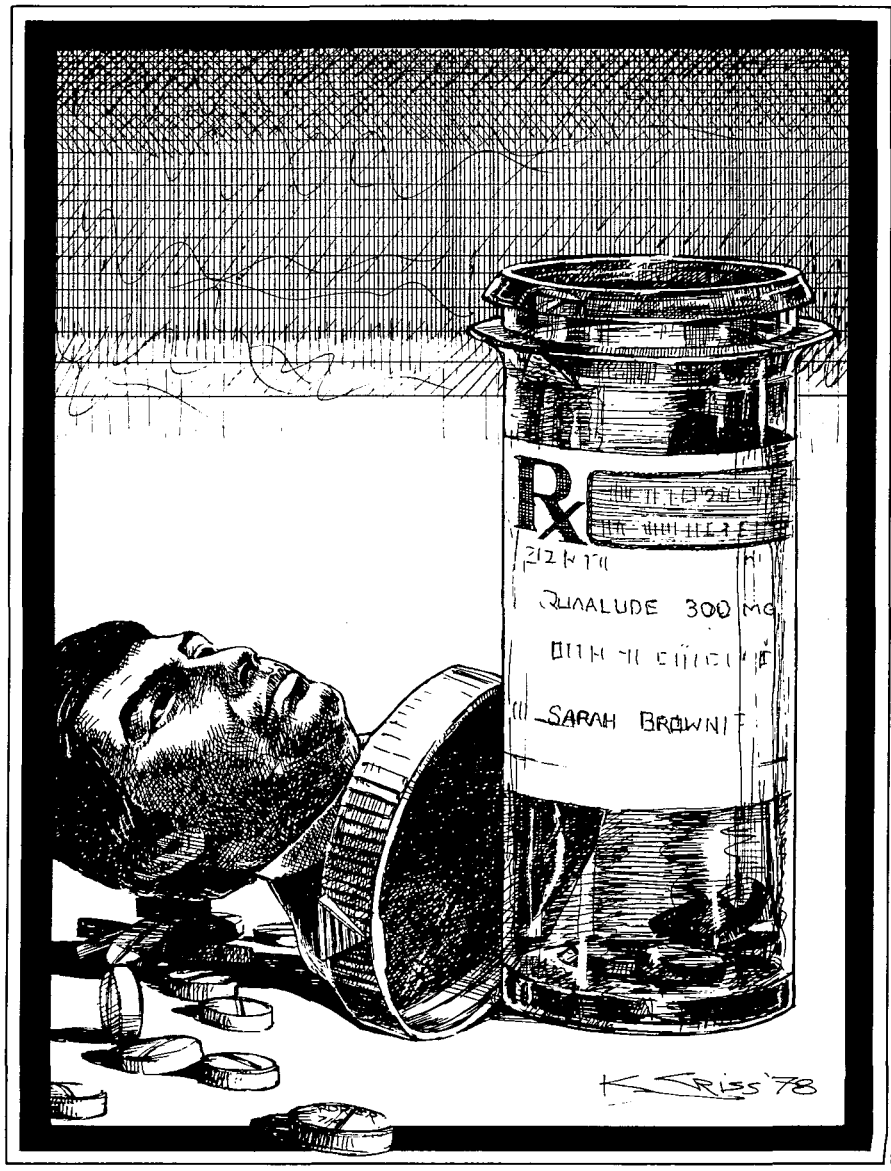
THOMAS SZASZ

Peter Bourne's Quaalude caper

ON JULY 19, 1978, DR. PETER G. Bourne, special assistant to the President and director of the White House Office of Drug Abuse Policy, was publicly incriminated as a "drug abuser" and exposed as a "drug pusher." The allegation that the nation's highest-ranking drug-prohibition agent not only uses illegal drugs but also dispenses "controlled" drugs to the White House staff sent shock waves of surprised indignation across the columns of America's political commentators. As I shall show, however, Bourne's dual role—as simultaneously both supporter and opponent of drug controls—is consistent with his previous activities and the means by which he rose to prominence and power.

Bourne has long been a Carter family friend. By all accounts, he was very influential in persuading Carter to seek the presidency. As a physician, however, Bourne has no medical or pharmacological achievement to his credit; he is not even a board-certified psychiatrist. Making Bourne America's chief drug-prohibition agent was Carter's repayment of a personal obligation and political debt. But Carter went much further: by presidential declaration, Bourne was elevated to the rank of "the world's foremost expert on drugs." To appreciate the absurdity of this claim, imagine a newly elected American President declaring his doctor-friend, bereft of any demonstrable achievement in cancer research or heart disease, the world's greatest oncologist or cardiologist. Physicians would laugh at such arrogance. No one, however, challenged Carter's claim that Bourne knew more about "drugs" than pharmacology professors or research chemists. In my opinion, that relatively harmless mendacity about Bourne was an integral part of countless not so very harmless mendacities that permeate the drug-prohibition industry.

Indeed, Carter's praise of Bourne was coupled with a statement that should have warned anyone alert to English usage about the grave danger inherent in Carter's vision of the American drug problem. I refer to Carter's linking Bourne's alleged *knowledge* about drugs with his supposed expertise in *controlling* them. Bourne, declared the President, is "the world's foremost expert on drugs—their origin, their processing, their sale, their use, their effect on the human body, how they might be controlled." A most odious non sequitur. Surely, a person need not be an authority on African history to excel as a slave trader or slaveholder. Nor need a person be an authority on Jewish theology to excel in persecuting and killing Jews. Nor, to use a less dramatic example, need a person be an authority on ballistics to excel in advocating or enforcing gun controls. After all, the term "drug control" is merely a modern American euphemism for prohibiting certain drugs and persecuting those who sell and use them. As everyone knows, the American government now permits and promotes the use of certain drugs,



KEITH CRISS

THOMAS SZASZ, a contributing editor, writes a monthly column for INQUIRY. His most recent book is The Myth of Psychotherapy.

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while it prohibits and persecutes the use of others. Whether a particular drug falls into one class or another is only marginally related to its pharmacological properties.

The adage "the higher they rise, the harder they fall" seems to apply to Bourne. Carter raised him up, and Bourne allowed himself to be raised up, as America's supernarc. When Bourne let his ambivalence about this job get the better of him, his downfall was inevitable.

Whether President and Mrs. Carter will also suffer from the Quaalude caper depends partly on their complicity (if any) in the drug law violations committed by Bourne and other members of the White House staff, and partly on whether the press and other influential critics of the administration call for an investigation and prosecution of these law violations as vigorously as the critics of the Nixon administration rightly pushed for an investigation and prosecution of Watergate.

When Bourne resigned from his lofty position, he was politically the most powerful physician in the nation. How did a 38-year-old psychiatrist achieve such prominence? Who, exactly, is Peter Bourne?

Bourne received his M.D. degree from Emory University in Atlanta in 1962. Before his psychiatric residency at Stanford, he was drafted and received a remarkably high-level assignment in Vietnam. Ostensibly, Bourne's task was to study and evaluate the morale and stress reactions of Green Berets in combat. However, according to a report in the magazine *State and Mind* (July-September 1976), "the reality was that this work required a high security clearance and active involvement with military intelligence. . . . Bourne was given this assignment even though he'd only graduated from Emory University Medical School in 1962, three years earlier, and had virtually no qualification to do this work. He had a carte blanche air pass travel anywhere in the country. He received a Bronze Star, Air Medal, and Combat Medics badge after being sent overseas for one year."

CLEARLY, BOURNE SHOWED an early talent for influencing men in power, for living well —and for working both sides of the street. While still a captain in the army, Bourne testified on behalf of Dr. Howard Levy in his trial for refusing orders to train Green Berets. Thus, Bourne was working with the Green Berets one day, was testifying against them the next, and was, at the same time, able to convince both sides that he was their agent. "Bourne identified himself as a friend and political sympathizer of Levy and other war resisters [according to *State and Mind*]. At large anti-war gatherings at Stanford University, Bourne spoke about the Levy case and took a clearly anti-war position. . . . He gave a taped interview to Gisele Halimi as evidence in the War Crimes Tribunal, held in Stockholm, Sweden." These and other similar activities of Bourne's "created the impression that Bourne changed from being a Bronze Star winning Green Beret advisor to a top-level anti-war advisor in a few months time." Perhaps as long as he was "top-level," Bourne didn't really care which side he was on. This assumption is supported by the fact that before his downfall, Bourne enthusiastically endorsed the paraquat war against marijuana and at the same time hobnobbed with the leaders of the marijuana-legalization lobby.

Bourne's meteoric rise to the role of the world's foremost expert on drugs began in earnest in 1971 with his appointment, by then-Governor Jimmy Carter, as director of the Georgia Drug Abuse Services. At Carter's insistence, he was chosen by the Food and Drug Administration to be the only man in Georgia with a license to dispense methadone. Soon, Carter pointed with pride to his—and Bourne's—methadone maintenance program as the "best in the country." What was so good about it? Supposedly that all persons on methadone maintenance had to come to Atlanta regardless of where they lived in the state, to be registered on computerized tapes. (Nevertheless, Bourne justified the felonious prescription-writing that brought him down by appealing to his passionate commitment to protecting his "patient's" privacy.)

Having solved the drug problem in Georgia, Bourne was ready to solve it for the rest of America. In September 1972, barely a year after assuming his Georgia drug job, Bourne moved to Washington as assistant director of President Nixon's Special Action Office for Drug Abuse Prevention. The next phase of his career is described in an article in *Science* (August 1977) this way: "In March, 1974, Bourne, who never stays terribly long doing the same thing in the same place, left that office to romp around the world as a high-priced health and drug abuse consultant as president of the one-man Foundation for International Resources. He also served as a consultant to his friend, Atlanta lawyer and physician Tom Bryant" (who subsequently served as chairman of President Carter's Commission on Mental Health).

"All this travelling," we are assured by *Science*, "does not mean Bourne has forgotten about drugs. Actually, his global focus is extended to efforts to bring worldwide trafficking in illegal substances under control." To say that Bourne had not forgotten about drugs was clearly an understatement. Drugs were, indeed, never far from Bourne's mind—or the minds of those on whose shoulders he rose to power. "Those of us from Georgia," remarked Bourne smugly not long before his exposure, "have a kind of longevity [in the White House] that is secure." Bourne's sense of security may have been supported not only by Carter's political debt to him, but also by his secret role as the Georgians' drug dispenser. "He endured on the affection of the Carters," explained a story in *Newsweek*, "and an ad hoc role as family doctor to the Georgians dating to statehouse days in Atlanta—a source of routine medication . . . and, in those days, as one old hand remembered, 'something to make you sleep or help keep you awake' in high-stress political situations."

In short, in our day of pharmacological prohibition, Bourne was at once the White House's chief drug-prohibition agent and its most trusted bootlegger. Moreover, Bourne was not only supplying "controlled" drugs to his friends, he was also scheming to deprive Americans of one of the most useful sedatives and anticonvulsants. "Barbiturates," explained Bourne to the reporter for *Science*, "are contributing to more deaths than any other drug except heroin. Ergo, maybe we ought to consider taking them off the market."* Some logic. Barbiturates contribute to death. Ergo, prohibit

** Bourne, as I shall describe later, has been an enthusiastic supporter of the government's program of spraying Mexican marijuana with the toxic chemical paraquat. Ironically, just as the story of Bourne's shenanigans was unfolding, a medical magazine reported that in Ireland paraquat has emerged as the leading poison used by persons committing suicide* (Medical World News, *July 19, 1978). The parallels between the American government's poisoning ethyl alcohol with methyl alcohol during Prohibition and poisoning marijuana with paraquat now are too obvious to require further comment here.*

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them. But barbiturates contribute only to the deaths of those persons who decide to take them, and pose no more danger to those who wish to live than do countless other drugs. Automobiles contribute to many more deaths than barbiturates—including the deaths of innocent bystanders. So why not ban automobiles? Despite the patently political nature of Bourne's position on barbiturates, his prohibitionism was labeled by Mathea Falco, the State Department's senior adviser on narcotics matters, as "very courageous." It is really not surprising that Bourne came to believe that he could get away with anything.

ON JULY 20, THE DAY AFTER the *Washington Post* exposed his illegal prescription, Bourne was forced to resign. The acts and events that led to his resignation were, at least as we now know them, briefly the following.

On July 11, 1978, a young woman named Toby Long took a prescription to a shopping-mall drugstore in Prince William County, Virginia, 35 miles south of Washington. The prescription was made out to the name of Sarah Brown for 15 Quaaludes (a brand of sedative with the worst reputation for "abuse" among all the legally available drugs on the American market) and was signed by Peter G. Bourne, M.D. A state pharmacy inspector who happened to be in the drugstore at the time noted that the prescription failed to include directions for the potency of the capsules. She called Bourne's number as it appeared on the form and got a recorded message that the number had been disconnected. The inspector located Bourne's new number and got no answer. She thereupon called the county narcotics squad, who arrested Long and charged her with passing a fictitious prescription, a felony carrying a sentence of one to five years. So much for uncontested facts. All else is claim and conjecture.

The *Washington Post* learned of the story soon after Long's arrest but did not print it until a week later. Bourne and the White House remained silent until the *Post* broke the story on July 19.

According to the federal code, as well as Virginia law, a prescription for a controlled substance must contain the name and address of the patient, as well as the name, address, and narcotics registration number of the physician. Writing a prescription to a fictitious person is a felony. Despite these facts, Bourne's first official statement was to assert his complete innocence: "I have consulted legal counsel and believe that what I have done was neither legally nor morally wrong." He claimed that he wrote the prescription that Toby Long had tried to pick up for his aide, Ellen Metsky. Metsky had, according to Bourne, sought his help for insomnia after her boyfriend left her. Bourne contended that he used a "pseudonym" to protect her privacy and that he prescribed Quaaludes partly because he considered this drug to be medically indicated and partly because, in view of his widely publicized opposition to barbiturates, he wanted to avoid prescribing a drug belonging to that chemical family. He told a reporter that he recalls thinking: "Good Lord, I can't write a prescription for barbiturates and have that out there, floating around." Bourne justified writing a prescription for a nonexistent person this way: "It's no secret that hard-liners in the Drug Enforcement Administration are highly displeased with my approach to the subject. They could easily go into the controlled substances files and find out who on my staff or on the White House staff has been taking such drugs—and they could use it. Ellen knew that and didn't want to create any record of a possible link between us."

Peter Bourne was both a drug-prohibition agent and a trusted bootlegger.

To believe this story one would have to be high indeed—on misplaced trust in mendacious psychiatrists. Consider, once more, some of Bourne's claims and certain questions about them:

- Bourne claims, and Metsky acknowledges, that the fake prescription was for Metsky. But Metsky did not pick up the prescription—allegedly because she was too busy—delegating the job of committing the felonious act to Long. What, precisely, was the relationship between Bourne and Metsky, and Metsky and Long? Was Long merely a fall girl? Bourne's claim, moreover, that he wanted to avoid barbiturates and therefore prescribed methaqualone is, to put it charitably, a self-deception. As he must have known, he could have prescribed chloral hydrate, or Dalmane, or Valium (or several other drugs) without attracting suspicion.
- Bourne claims that he wrote a fake name on the prescription solely out of concern for his "patient." Specifically, he contends that he wanted to protect Metsky's confidentiality "with regard to her taking medication and to the creation of a record anywhere that she has been seen by a psychiatrist." That claim is unpersuasive. According to Bourne's own account, Metsky wanted two things: to confide her troubles to someone she could trust and to obtain some sleeping pills. Bourne could have listened and talked to her, and no one would have been the wiser. And he could have referred her to a family physician, internist, or gynecologist (assuming that Metsky did not have an established patient-doctor relationship with such a physician), who could have prescribed a sleeping pill for her. There was simply no medical need—as against personal need—for Bourne to dispense a drug, especially one as notorious as Quaalude.

IN A STATEMENT ISSUED ON July 19, Bourne asserted that he took "legitimate precautions" to protect the confidentiality of his patient and that "one way" of doing so was by the use of what he called a "pseudonym." In support of his conduct, he cited a part of Section 9 of the American Medical Association's Principles of Medical Ethics which states that "a physician may not reveal confidences entrusted to him in the course of medical attendance . . . " With the same arrogance that characterized his prescribing methaqualone to a nonexistent patient, Bourne simply omitted the second half of that statement which qualifies the first half as follows: ". . . unless he [the physician] is required to do so by law." Bourne's attempt to hide behind the skirt of medical confidentiality has the stench of

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hypocrisy squared. More than any other prominent physician in America, Bourne was, in the words of a *Medical World News* article (August 7, 1978), "the driving force behind the President's most definitive campaign speech on National Health Insurance. . . ." The same publication characterizes him as the administration's "most committed advocate of a cradle-to-grave national health insurance plan." What would be the status of medical confidentiality for persons seeking psychiatric help or sleeping pills under such a collectivized, computerized system of medical care? It is safe to predict that were such a plan to come into being, our present situation with respect to patient confidentiality would seem utopian.

In leaving the White House, Bourne proved, once and for all, the depth of his devotion to the cause of confidentiality: He gratuitously incriminated his "patients" and colleagues, asserting that there was a "high incidence of marijuana use" and "occasional use of cocaine" by members of the White House staff. On July 22, seven junior members of the White House staff admitted to a *New York Times* reporter that "they smoked marijuana regularly . . . and were directly and indirectly aware of the use of cocaine by some of their colleagues."

Predictably, neither Bourne nor anyone else connected with alleged drug abuse in the White House has so far been prosecuted. On August 22, Paul Ebert, the prosecutor in Prince William County, announced he was dropping the Bourne case because "I don't think Virginia law applies to a drug violation outside the state." In Washington, a spokesman for the U.S. attorney's office said: "We originally deferred to Virginia authorities to decide whether to prosecute or not in this case. They've made their decision and, as far as this office is concerned, that's the end of the matter." And of the successful sealing of the Quaalude cover-up?

When Jimmy Carter became President, he and Rosalynn Carter self-righteously announced that no hard liquor would be served in the White House. Bourne's Quaaludes, and God knows what else "prescribed" in the White House, make that practice a gesture at once comic and contemptible.

(This is the first installment of a two-part article reviewing and analyzing the Bourne affair.) ❑

DISPATCH

ROBERT A. MANNING & STEPHEN TALBOT

Carter's nuclear deal with South Africa

IN THE SUMMER OF 1977, A Soviet spy satellite photographed what to the untrained eye appeared to be some innocent-looking sheds and a tower located in the barren Kalahari desert, 400 miles west of Johannesburg, South Africa. But to Soviet experts, these photos were a sign that the apartheid regime of South Africa was preparing to set off an atomic explosion. On August 6, Soviet Premier Leonid Brezhnev alerted the United States to this discovery, and, in the following weeks, the Carter administration entered into an intense round of secret diplomacy aimed at forestalling the suspected South African nuclear test. Finally, on August 23, President Carter was able to announce that "in response to our own direct inquiry and that of other nations, South Africa has informed us that they do not intend to develop nuclear devices for any purpose, either peaceful or as a weapon . . . and that no nuclear explosive test will be taken in South Africa now or in the future."

Now, more than a year later, Carter is preparing to strike what may be a Faustian nuclear bargain with South Africa in order to get it to put that pledge in writing. Ever since photos from Big Bird 56A, a U.S. Air Force reconnaissance satellite, provided enough evidence to convince the Carter administration of the accuracy of the Soviet warning, the United States has been involved in top-level, behind-the-scenes negotiations to convince South Africa to sign the Nuclear Nonproliferation Treaty and open all its nuclear facilities to international inspection. This effort has apparently met with success. But the price the South African regime is exacting for its acquiescence is that the United States guarantee to supply the enriched uranium and the nuclear technology and equipment that South Africa needs to fulfill its ambitious plan to become a "nuclear OPEC" in the 1980s.

The pending nuclear deal has been one of the better-kept secrets in both Washington and Pretoria. During top-level, highly secretive talks in Pretoria last June 25 to 29, American and South African negotiators worked out a complex, step-by-step process and timetable that would lead to South Africa signing the nonproliferation treaty in exchange for U.S. supplies of enriched fuel and nuclear technology. The U.S. delegation was led by Carter's top nuclear negotiator, Ambassador-at-Large Gerard Smith.

According to sources at the Arms Control and Disarmament Agency (ACDA) in Washington, the scenario that has been worked out begins with the South African prime minister swallowing his pride and announcing his intention to sign the nonproliferation treaty. Then Pretoria would invite the International Atomic Energy Agency (IAEA) to begin discussing the inspection of South Africa's nuclear plants. Sometime after an IAEA team visited South Africa, the white-minority regime would actually sign the nonproliferation treaty. This would be followed by the implementation of the treaty's safeguards system, which would take some 18 to 24 months. Finally, if all went according to plan, an agreement with IAEA on actual inspection procedures would be worked out.

ACDA sources say that "the ball is now in South Africa's court," and that they expect Pretoria to "respond affirmatively" and set the complex process in motion. Although these sources predict that South Africa might respond in a few weeks, State Department African specialists say it will probably take much longer. They argue that Pretoria's immediate priority is negotiating a settlement with the West on the future of Namibia, now illegally occupied by South Africa, and that it might be several months before South African leaders could sell the

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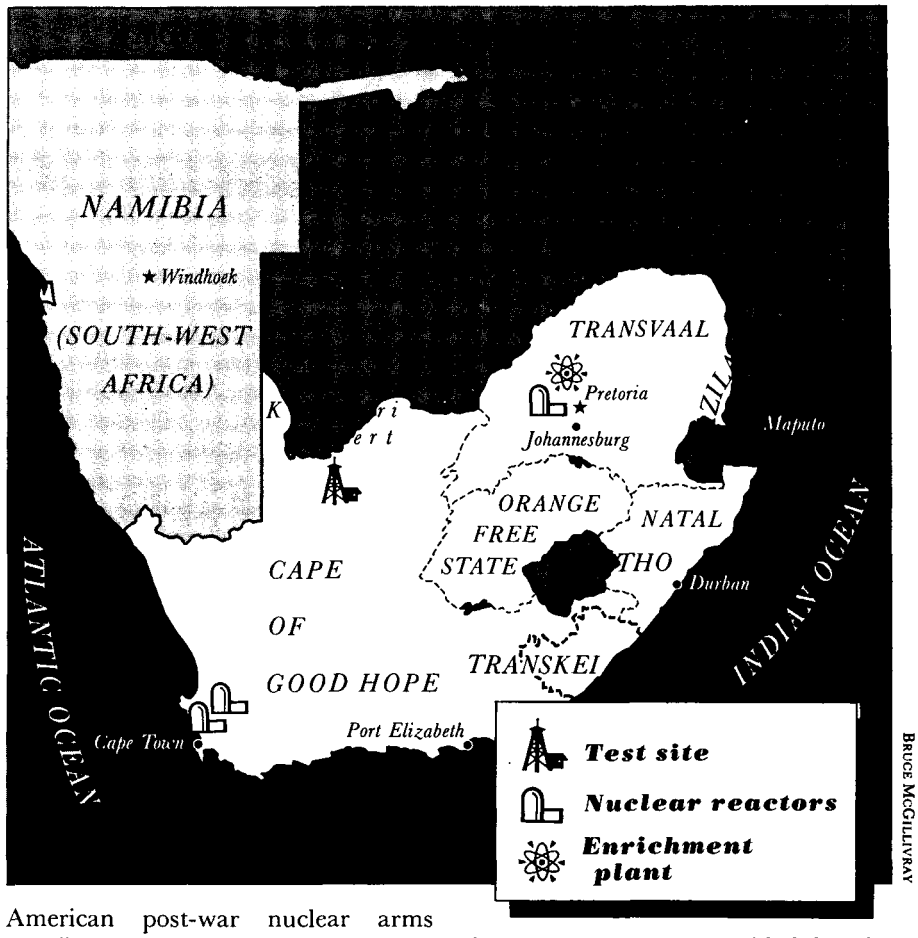
nonproliferation treaty to their suspicious, hard-line domestic constituency.

THE CARTER ADMINISTRATION believes that South Africa's acceptance of the nonproliferation treaty would be a major victory in its campaign to halt the spread of nuclear weapons. South Africa, on the other hand, is primarily interested in a public display of cooperation with the United States, and in securing U.S. nuclear material. (Carter has been withholding 57 pounds of enriched uranium for Pretoria's American-built reactor, SAFARI I.) On top of that, South Africa wants enriched uranium for its two nuclear reactors at Koeburg, currently under construction by a French consortium, FRAMATOME. Finally, the South Africans want a pledge from Washington that U.S. technology and equipment will be forthcoming for its top-secret uranium enrichment plant at Valindaba, outside Pretoria.

Although South Africa has temporarily shelved a $1.5 billion plan for a large commercial uranium enrichment plant because of difficulty in obtaining Western financing, its state-owned nuclear industry is viewed as a major trump card to safeguard the white-minority regime's political and economic future. Not only does South Africa possess between 10 and 20 percent of the world's uranium reserves, it has also developed sophisticated uranium enrichment techniques held by only six other nations. South Africa is already the world's leading producer of uranium and hopes to become the top exporter of enriched "yellowcake" (uranium oxide) to the expanding market for nuclear-reactor fuel in the West and the Third World. Pretoria's dream is to become a "nuclear OPEC." Albert Louw, vice-president of South Africa's Atomic Energy Board, has said, "We now have the bargaining power equal to an Arab country with a lot of oil."

Ironically, South Africa's nuclear prowess is largely a product of more than 20 years of close cooperation with the United States and, more recently, with West Germany. A newly published book, *The Nuclear Axis*, by Barbara Rogers and Zdenek Cervanka, describes this Western collaboration and explains, "The U.S. gave South Africa the possibility of setting up its nuclear research development in the first place, by developing a uranium mining and processing industry for the



BRUCE MCGILLIVRAY

American post-war nuclear arms race." In testimony last year before Representative Charles Diggs's House International Relations Subcommittee on Africa, the architect of Carter's nuclear policy, Deputy Undersecretary of State Joseph Nye, Jr., said that "South Africa became an important supplier of uranium to the United States beginning in 1953. These shipments continued until the early 1960s. . . . We entered into an agreement for nuclear cooperation with South Africa on July 8, 1957 . . . The initial type of cooperation was in the area of research, but eventual cooperation in nuclear power was envisioned from the beginning."

Under the 1957 pact, which has been extended to the year 2007, an American firm, Allis-Chalmers, built what is still South Africa's only operating reactor, and the United States has provided this SAFARI I reactor with 231 pounds of enriched uranium—enough to make 10 medium-sized nuclear bombs. More than 155 U.S. nuclear experts have participated in South Africa's nuclear development program, and 90 nuclear scientists from South Africa have received training in the United States. The United States has also provided an IBM 360/40 computer for the Pelindaba SAFARI I research facility. Perhaps most controversial are the two computers provided by the Foxboro Corporation of Massachusetts for South Africa's experimental enrichment plant at Valindaba. (Valindaba is a Zulu expression meaning "the talking is over.") Unlike SAFARI I, this plant is off-limits to any international inspection. It is at this facility that some experts believe Pretoria may already have diverted spent uranium to be reprocessed into weapons fuel.

Dr. Roux, the South African Atomic Energy Board president, underlined the U.S. role in South Africa's nuclear development by telling a group of visiting Americans in 1976, "We ascribe our degree of advancement today, in large measure, to the training and assistance so willingly provided by the USA during the early years of our nuclear program, when several of the Western world's nuclear nations cooperated in initiating our scientists and engineers into nuclear science."

IF THE UNITED STATES AND South Africa do conclude a nuclear pact, the Carter administration may still have a difficult time convincing some countries, especially in Africa and elsewhere in the Third World, that the South Africans have really forsaken development of nuclear

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weapons. Last year, Information Minister Connie Mulder told the *Washington Post*, "Let me say that if we are attacked, no rules apply at all if it comes to a question of our existence. We will use all means at our disposal, whatever they may be." He then specifically referred to South Africa's nuclear facilities and uranium resources. Prime Minister John Vorster also told *Newsweek*: "[South Africa] can enrich uranium and we have the capability of mounting a nuclear defense." Even if South Africa signs the nonproliferation treaty, some experts believe that South Africa has already diverted enough nuclear fuel to create a bomb. Others argue that nuclear safeguards provided under the treaty may not be sufficient to prevent South Africa in the future from diverting nuclear material from its enrichment plant for weapons production. In fact, an entirely new inspection system would have to be devised to monitor Pretoria's secret enrichment process.

African countries and other critics of apartheid also fear that even if Carter can restrain the South Africans from developing and using nuclear weapons, a U.S.–South African nuclear pact could be more of a triumph for Pretoria and yet another indication of the West's commitment to the regime there.

Undersecretary Joseph Nye, Jr., has said that one tactic Washington has adopted for encouraging nations to sign the nonproliferation treaty is to offer the protection of the U.S. nuclear "umbrella" as a substitute for the development of their own atomic weapons. South Africa has been angling for a formal military relationship with the United States and NATO for years. Although a distant possibility, a U.S.–South African mutual security agreement may be in the back of the minds of South African strategists as they seek to gain the most they can in return for signing away their nuclear weapons development.

The economic implications of a U.S.–South African nuclear pact are at least as ominous as the military consequences. If the United States agrees to supply the enriched uranium South Africa needs to develop its own uranium-enriching industry, Pretoria —with its vast reserves of uranium— could corner the uranium enrichment market in the 1980s. Documents leaked last year uncovered a secret uranium cartel in which South Africa played a key role, along with Australia, Canada, and Gulf Oil Corporation. The cartel, which first met in Johannesburg, successfully conspired to drive the price of uranium from $6 a pound to $41—an increase that dwarfs OPEC's best efforts.

A U.S. commitment to continue aiding in the development of South Africa's nuclear industry would also help South Africa in an area where it is potentially vulnerable—energy. Although South Africa has major coal reserves, oil is one of the few strategic resources it lacks. By developing nuclear power, Pretoria will become that much more self-sufficient in energy and less susceptible to an oil embargo, which a recent UN study said could bring down the apartheid regime in two years.

The South Africans are already suggesting that a major nuclear pact with the United States would indicate improved political ties between Washington and Pretoria. As a Johannesburg daily, *Die Vaderland*, pointed out, "A nuclear agreement between South Africa and the U.S. could be made only between two governments which cooperate and which do not seek each other's downfall." And the *Christian Science Monitor* warned, "A U.S.–South Africa agreement would show the West is supportive of the current government." The administration is aware of these implications. When questioned about the ramifications of a nonproliferation agreement with South Africa, an ACDA official admitted that the nuclear deal "might cause us some problems in Africa," where the bargain could appear part of a larger pattern of U.S. cooperation with South Africa.

The Carter administration, which has made human rights a keynote of its foreign-policy rhetoric and which has projected the image of being strongly opposed to the South African regime, has been conspicuously silent about apartheid in the last year. In fact, during congressional hearings last August on U.S. investments in South Africa, Assistant Secretary of State for African Affairs Richard Moose echoed Henry Kissinger's old policy of not pressuring South Africa in hopes of winning South African cooperation for negotiated settlements in Namibia and Rhodesia. Since Vice President Walter Mondale told Vorster in May 1977 that the United States favored "one man, one vote," the administration has taken only one significant action against South Africa—voting in favor of a mandatory UN Security Council arms embargo. But that was largely symbolic, since it is generally recognized that the West, including the United States, had already built up South Africa's huge arsenal of modern weapons—and the embargo was too little, too late. In his last major policy address on Africa, delivered in June in Atlantic City, Secretary of State Cyrus Vance scarcely mentioned South Africa, saying only that the country's "failure to begin to make genuine progress toward an end to racial discrimination and full political participation for all South African citizens can only have an increasingly adverse impact on our relations." As if those brief words might appear too harsh, Vance hastened to add, "We do not seek to impose either a timetable or a blueprint for this progress."

But the Carter administration's toned-down criticism of Pretoria does not correspond to any improvement in the human-rights situation in South Africa. There has been no let-up in the repression of black political rights and no substantive move away from apartheid. The few changes have been token. The ministry of "bantu" (black) affairs is now called "plural development." In a continuing crackdown on dissent, the white-minority regime has begun a series of so-called "terrorism trials" that the police say will involve some 300 political detainees in 67 separate cases. Lungile Tabalaza, a 20-year-old black detainee, "fell" five floors to his death in July, another "suicide," according to the South African police. His death occurred during interrogation in the same Port Elizabeth jail where black leader Steve Biko was kept chained and naked before his death in detention last year. Amnesty International reported earlier this year that police torture in South Africa is almost routine and concluded that "no reforms in the present structure will be sufficiently far-reaching to remove the causes of political imprisonment

Repression of blacks in South Africa goes on, but Carter has been silent.

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unless the whole system of apartheid is dismantled."

*THE SOUTH AFRICAN GOV-*ernment is keenly aware of its international isolation, its dependence on foreign capital, and the threat it faces from a black majority whose political, human, and economic rights have long been denied. The apartheid regime is particularly worried about the various campaigns in the United States and Western Europe to cut off or even withdraw investments. Under these circumstances, South African leaders are not about to give up the "ultimate weapon"—the atomic bomb, or at least the capacity to make one—unless they believe they can secure sufficient guarantees from the United States to justify such a psychologically potent concession.

In fact, nuclear weapons are of more diplomatic than military use to South Africa. The apartheid regime can't very well drop the bomb on Soweto, only a few miles from "white" Johannesburg. The atomic bomb cannot solve the apartheid regime's internal problems. South Africa could use the bomb to threaten the capitals of the "front line states" that support the guerrillas who are now beginning to infiltrate across the border; the British long ago provided the 20 Canberra and Buccaneer light bombers that could be used to deliver nuclear weapons. But such an eventuality is unlikely. The United States would almost certainly intervene to prevent such an attack, and the Soviet Union would probably threaten retaliation. So all that South Africa really gains in developing a bomb is a desperate doomsday weapon. It may prove satisfying to the Afrikaner's "fortress mentality," but it will not provide much security.

That is why—in return for strong U.S. commitments—Pretoria is prepared to consider signing away South Africa's development of nuclear weapons. In offering these commitments to Pretoria, the Carter administration seems more interested in scoring at least a symbolic victory in its nonproliferation campaign than in opposing apartheid. And African nations are likely to see the nuclear pact as a sign of continuing U.S.–South African cooperation at a time when Nigeria and other important African states are calling for a policy of complete ostracism as the only effective way of dismantling the apartheid system. ❑

POLITICS

DAVID CAPLOE

The pitfalls of Camp David

FEWER THAN THREE DAYS after the Camp David agreements were dramatically announced on national and international television, they were already in trouble. Almost immediately, wide divergences appeared in the Israeli, American, and Egyptian interpretations of such critical provisions as the moratorium on Jewish settlements in the West Bank and the duration of Israel's continued military presence there. At the same time, the Begin regime seemed less than fully committed to what was supposed to be an ironclad agreement to dismantle the settlements in the Sinai as part of the Egyptian-Israeli peace package. And as a result of these and other vacillations on Israel's part, it seemed far from clear whether Saudi Arabia and Jordan would endorse the agreements—endorsements that American officials deem crucial. Whether these difficulties will prove fatal is not yet known, but the prognosis is decidedly unhopeful.

These issues have of course been widely discussed, filling the headlines of the world press in the days since the close of the summit conference. But there are other problems with the accords that received a good deal less attention in the Western mass media. These complications arise, not surprisingly, from the tangled and emotional question of the Palestinian Arabs.

To be sure, the Camp David protocols mark a major step forward, at least rhetorically, in the recognition that the Palestinian issue is different from other aspects of the Arab-Israeli conflict. Under the accords, "representatives of the Palestinian people" are to be invited along with Egypt, Israel, and Jordan to "participate in negotiations on the resolution of the Palestinian problem in all its aspects." This is indeed a significant advance: for the first time, Israel officially acknowledged the existence of a "Palestinian problem" that needs to be resolved "in all its aspects," and that the representatives of the people whose fate is to be determined have a right to participate in the discussion. Israel also agreed, at least in principle, to permit the establishment of a "self-governing authority (administrative council) in the West Bank and Gaza." Finally, Menachem Begin signed a document that recognizes "the legitimate rights of the Palestinian people and their just requirements"—a phrase taken almost directly from the lexicon of the Palestine Liberation Organization.

But beneath the rhetorical surface, the texts of the Camp David documents reveal that Carter, Sadat, and Begin are far from interested in resolving the Palestinian problem "in all its aspects." The first indication comes in the agreement's description of the process by which Palestinian representatives will be recruited into the negotiations. The members of the "self-governing authority" can only be "the elected representatives of the inhabitants of the West Bank and Gaza." Of the 3 million Palestinian Arabs in the world, approximately 1.4 million, or slightly less than half, live in the occupied areas (about 900,000 in the West Bank, 450,000 in Gaza). Thus, more than half of the Palestinian Arab population will be barred from participating in the discussions as Palestinians.

Perhaps to soften the impact of this restrictive clause, the agreement allows "other Palestinians as mutually agreed" to be included in the delegations of Egypt and Jordan. The twin fallacies of this are obvious: Any Palestinian who is part of the Egyptian or Jordanian delegation will clearly not be in any position to advance Palestinian interests, but will be bound to the Egyptian or Jordanian line; at the same time, the fact that any "outside" Palestinians must be "mutually agreed" upon appears to give Israel an effective veto over any Palestinian it

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does not want to sit with. Thus even this modification does little to include in negotiations the more than 1.5 million Palestinian Arabs whose lives are no less at stake than those of their fellow Palestinians in the West Bank and Gaza.

*THIS POINTS TO THE SEC-*ond significant problem with the treatment of the Palestinian question in "Framework of Peace in the Middle East": the lack of any mention of the Palestine Liberation Organization (PLO). The PLO has not acted with greater dignity or humanity than any other actor in the sad tragedy of the Arab-Israeli conflict, and can hardly be said to be a model of revolutionary action or consciousness. Nevertheless, no agreement can be said to have resolved "the Palestinian problem in all its aspects" if it does not even acknowledge the reality of the PLO and the allegiance it commands from the majority of Palestinians.

It is, of course, entirely understandable that Begin and Sadat should shrink from granting recognition to an organization that they both hate and that hates them in return. As the Israeli daily *Ha'aretz* noted, it is extraordinary enough that Begin was able to sign a document containing the phrases about the Palestinians quoted above. It would have been supremely unrealistic to expect him to acknowledge the PLO. Sadat, too, has good reason to rebuff the organization. Since the end of the 1973 war and Sadat's decision to embark on a pro-American path, the PLO has assailed him regularly. The Palestinians were apoplectic when Sadat signed the Kissinger-inspired Sinai II agreement in 1975, and they could barely contain themselves when he went to Jerusalem last November. Thus, his antipathy to the PLO is only slightly less intense than Begin's.

But even with these reasons, omitting all reference to the PLO makes a mockery of any claim that the agreement deals fundamentally with the Palestinian issue. The Palestinians did not come to accept the PLO as their sole representative through any simple, automatic choice; rather in the last decade this allegiance has taken root and has held firm. Following the failure of the 1936–1939 revolt against the British mandate and the Jewish community in Palestine, Palestinian anti-Zionism was almost exclusively subsumed in the larger Arab ideological struggle against Israel. The Palestinians were great believers in Arab nationalism, and in Nasser in particular. They rejected the first independent Palestinian initiatives that clashed with the aims of the Egyptian leader. But after the shock of the 1967 war, and the subsequent beatings administered to the Palestinians by almost every Arab confrontation state (particularly Jordan and Syria, but Egypt as well), the majority of them are suspicious of any non-Palestinian who claims to represent their interests. Thus, the PLO today commands the deep loyalty of the vast majority of Palestinians who, although they often criticize it, believe that it is the only actor in the world sincerely and exclusively devoted to their welfare. For this reason and no other, any plan that attempts to resolve finally the Palestinian question must have at least the implicit endorsement of the PLO if it is to have any chance of success at all.

It hardly seems possible that Sadat does not know this. In fact, Sadat has been well aware since the beginning of his valiant effort that without some satisfactory set of principles regarding the Palestinian issue, he would have no chance of selling an Egyptian-Israeli agreement to the rest of the Arab world. This was the very reason he broke off the committee talks last January. Sadat's rather surprising acquiescence on the Palestinian issue therefore naturally raises the question, Why? To understand the answer, we must look at least briefly at the political situation of each negotiator at Camp David and his reasons for being there in the first place.

*FOR SADAT, THE MEET-*ings at Camp David represented the culmination of his long attempt to make the United States a full partner in the negotiating process. Sadat believed that the logic of America's position in the Middle East would make any President more amenable to his views than Begin's. Fortunately for Sadat, Carter's invitation arrived at a time of growing restiveness among the three constituencies Sadat must please in order to retain power: the other Arab elites (particularly Saudi Arabia); the Egyptian populace; and the Egyptian army.

Forthcoming in

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While the militantly "radical" regimes like Libya, Iraq, and, to a lesser extent, Algeria vehemently opposed his peace initiative from the beginning, Sadat received muted political support, and substantial financial assistance, from such countries as Saudi Arabia. Yet over the course of the summer, even the Saudis had begun pressing Sadat quietly to forsake his noble gamble and return to the Arab fold. So too his own people—who had enthusiastically backed him in the hope that with peace would come massive infusions of Western capital—began to despair of a final agreement with Israel.

And most significant of all, the Egyptian army, which went along with the Sadat initiative as a means of opening a solid military supply line to the United States, began to feel similarly dissatisfied at the meager returns so far: 50 obsolete F-5Es and not much more. As they saw Israel's arms store grow each day, many elements of the Egyptian army began to question Sadat's course. For all these reasons, then, Sadat needed an American-sponsored breakthrough in his initiative, one that would finally get something concrete from the Israelis and at the same time demonstrate clearly to his Arab and Egyptian critics the essential rightness of the pro-American road.

In his quest, he counted heavily on Jimmy Carter, who needed a dramatic development for reasons of his own. At home and abroad, Carter has created around himself an aura of incompetence, especially in dealing with the Middle East. Although before the summit Carter made some breakthroughs on the Palestinian question and solidified American relationships with Arab states such as Saudi Arabia, in so doing he alienated not only the Israelis, but the important pro-Israeli activists within his own party.

For Carter, then, Camp David was meant to be a remedy for both his domestic and international woes. On the world stage, Carter wanted to project the image of a bold, decisive America, capable of acting effectively on a globally important dilemma. In the Middle East, he wanted to shore up Sadat's position as America's second most important Arab ally. In this way, he hoped also to avoid mutual recriminations with the Saudis, who as America's number-one Arab ally might feel exposed and angry if Sadat were to get into domestic trouble over what they saw as Israeli intransigence. At home, Carter wanted to reassert his presidential leadership and build a basis for reconciliation with the vital pro-Israel constituency in the Democratic Party. For if he could get Begin to endorse a move in Middle East negotiations, he would be relatively immune to charges of leaning too one-sidedly on Israel for concessions.

THUS, BOTH SADAT AND Carter were in weak positions as the Camp David summit began, each needing for his own reasons some spectacular development. Menachem Begin, on the other hand, was in no hurry to get anything done. Indeed, unlike his Egyptian and American counterparts, his immediate situation was distinctly rosy. Domestically, Begin faced no real threat: Foreign Minister Moshe Dayan and Defense Minister Ezer Weizmann had been neutralized earlier as potential contenders for his seat; an intraparty split had stripped Yigael Yadin, head of the Democratic Movement for Change, of his power base; and the opposition Labor Party had been reduced to personal attacks without providing any clear policy alternatives.

Moreover, Israel is in excellent military shape. The invasion of Lebanon proved that Israel could strike just about at will in bordering Arab regions. And despite tensions between the two countries, America is keeping up a steady flow of arms to the Jewish state. Indeed, that continuing flow of weapons is a prime element of the Carter administration effort to create Israeli flexibility on territorial issues. Unless Israel gets the arms it wants, administration officials believe, it will not feel secure enough to give up any of the land conquered in 1967. Of course, as Carter has found out, the converse can be equally true: as long as the Israelis know that the arms will continue to arrive regardless of tensions, they are as likely to feel that they can resist what they consider unjustifiable pressures to make territorial concessions.

Finally, the American Jewish leaders with whom Begin met in New York prior to his arrival at Camp David doubtless told him that Carter is weak in Congress and in the public opinion polls, both generally and with regard specifically to the Middle East. As a result, Begin learned, Carter was not really in a good position to put serious pressure on Israel. Thus, if Begin did not get a deal he liked, he knew he could afford to hang tough, secure in the knowledge that there was a solid bedrock of congressional and popular support for Israel. As long as Begin played down the mystical and religious aspects of his devotion to "the land of Israel" and emphasized Israel's weak geopolitical position, there would be very little either Carter or Sadat could do to budge him.

Given this situation, the logic of Begin's action is clear. By embracing a rhetoric of peace and enthusiastically agreeing to attend Camp David, he took away any *prima facie* charge of Israeli intransigence. Once he got there, he held all the cards. He could afford to wait, while Sadat and Carter were both in need of a major breakthrough. If they wanted something fast, therefore, they would have to come around to his view of things. If not, he was willing and able to wait until they did. As long as he kept to diplomatic niceties and was not obviously obstructive, he was almost untouchable.

In this context, the anti-Palestinian character of the Camp David accords becomes understandable. Carter simply could not let the summit collapse. Willy-nilly, he was drawn inevitably into giving in on Begin's basic demands simply for the sake of an agreement. And Sadat was trapped. Having gambled by putting all his trust in Carter, there was nothing he could do to halt the inevitable slide toward Begin. If he actually made good his threat to walk out, the public could not help but perceive his action as "there goes that emotional and unstable Sadat again." Even if Begin were ultimately blamed for the breakdown, Sadat could not afford such an initial public perception, no matter how fleeting. Given these dynamics, all Begin had to do was wait, and he could more or less dictate to Sadat and Carter the final contours of the agreements they so badly wanted.

It is not as yet clear whether the accords will hold. Considerable obstacles have sprung up in the path toward implementation. If the agreement falls apart, there is no telling what will happen. Even if the agreements do manage to hold together, the future is by no means bright. For in the final analysis, there should be no confusion between the stopgap measures achieved at Camp David and a truly just and peaceful resolution of the endless and seamless tragedies called the Arab-Israeli conflict.

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How Israel violates
the human rights of Palestinians.

ISRAELI SETTLEMENTS

By EDMUND R. HANNAUER

IN THE EUPHORIC ATMOSPHERE THAT greeted President Carter's announcement of the success of the Camp David talks between Israel and Egypt, few commentators stopped to consider the fate of Palestinian Arabs under the terms of the accord. Although promised limited "autonomy" on the West Bank and Gaza—policed by Israeli military and Jordanian forces, among others—the Palestinians were offered no restitution for the homes and land they have lost within Israel and to Israeli settlers colonizing the occupied territories.

Carter administration spokesmen, including Cyrus Vance and Andrew Young, have criticized Israel for its settlements policy, accusing it of violating the Fourth Geneva Convention relating to the protection of civilians in wartime, which states that the "Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies." But the administration has always treated the settlements primarily as an obstacle to peace, rather than as a systematic and continuing violation of human rights. Its criticisms, moreover, have always been nullified by massive military, economic, and diplomatic support. This U.S. commitment to Israeli policies of gradual colonization and annexation of Arab lands still attracts much public support, in large part because both Washington and the U.S. media have failed to inform Americans of the full extent to which Israel violates international law and human rights in the occupied lands. Unfortunately, the old Zionist myth of a "land without a people [Palestine] for a people without a land [the Jews]" still heavily affects the way many Americans view Israeli settlements. Jewish colonists are seen as hardy pioneers, pushing back an uninhabited frontier, "making the desert bloom." As with the American frontier myth, indigenous inhabitants are either nonexistent or inexplicably "hostile."

In reality, however, Israeli settlements are bound up with Israeli policies of expropriation of land and diversion of water resources from Arab farmers, the mass destruction of Arab homes, and expulsion of Arab inhabitants.

John Ruedy, professor of Middle East history at Georgetown University, asserts, in admittedly "tentative findings" (submitted for the October 1977 hearings of the Subcommittee on Immigration and Naturalization of the Senate Judiciary Committee), that Israel has already wrongfully acquired one-third (160,000 hectares) of the land surface of the occupied West Bank. First, Israel took over public domain lands on the West Bank. Although some of the public land is desert or arid mountain region, a considerable portion has been used for generations by the villagers for farming, pasture, or other common purposes. Many villages need such land to support their present and future agricultural needs.

Second, Israel confiscated the "abandoned property" of so-called "absentees." This land belonged to refugees who fled in 1967 or later, to inhabitants—close to 1500—who were deported by Israel after 1967, or to individuals who were abroad in 1967 and have not been allowed to return to the West Bank. According to Professor Israel Shahek, chairman of the Israeli League for Human and Civil Rights, this procedure is followed "even in cases where a father dies and his son, the heir, is abroad and cannot return . . . "

Third, there is direct expropriation conducted without benefit of a public hearing and often with very short or even no advance warning. While Israel sometimes—not always—offers minimal compensation, few Palestinians accept compensation for fear that they would be signing away claims to land they hope to regain. Whereas Israel uses this method of expropriation mostly to seize property (home and land) in urban areas, it confiscates rural land by declaring such land a "closed area"—where cultivation or building is forbidden. No compensation is offered for this land.

Fourth, there is purchase of land, partly by Israeli and other Jews, but mostly by the Jewish National Fund and the Israel Land Authority. These last purchases are often through intermediaries, so the Arab seller does not know he has sold to Israeli Jews. Israel Shahak notes that some sales are made under duress, where Israeli authorities threaten or even arrest owners or members of their families. Since West Bank inhabitants are rarely willing, for political reasons, to sell land to Israeli institutions, most of the land obtained by Israel for Jewish settlements has been confiscated against the will of the West Bank population.

Professor Ruedy gives these figures for the four forms of land acquisition: seizure of public domain land, 80,000 hectares; confiscation of "abandoned property," 32,000 hectares; direct expropriation, 16,000 hectares; and purchase, 30,000 hectares. (A hectare is 2.47 acres.) Ruedy finds a "striking" similarity between Israeli techniques to appropriate land and those used by French settlers in Algeria in the middle of the nineteenth century: "In the course of the war brought about by the coming of the Europeans, large segments of the native population flee or are driven away;

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Israel continues to expropriate

one then seizes as vacant or abandoned or as enemy property, the lands so deserted . . . One mobilizes the expropriation powers of the state in order to settle members of the ruling ethnic group in place of the ruled. Utilizing a totally Western concept of proprietorship, one evicts from public domain lands peasants and pastoralists who have occupied them for generations."

THE EFFECT OF ISRAELI SETTLEMENTS ON Arab landowners was considered in testimony in September 1977 before the International Organizations Subcommittee of the House Committee on International Relations. One committee witness, Ann Lesch, represented the American Friends Service Committee in Jerusalem from 1974 to 1977, in which capacity she wrote extensive reports on the land question, based on official Israeli documents, the Hebrew press, and her own on-the-spot investigations. According to Lesch's testimony, "Virtually every West Bank settlement has taken some land from nearby villages." Her findings were supported by Paul Quiring, who, as administrator of the Mennonite Central Committee's rural development programs on the West Bank, came into daily contact with Arab farmers. Quiring testified that all Israeli settlements constructed on the West Bank are located on land that was either "in the public domain of the Hashemite Kingdom of Jordan or belonged to villagers and individuals at the time of the occupation."

Quiring cited an example of Israeli seizure of Arab farm land for the use of a Jewish settlement that occurred in the village of Akraba (near Nablus) in 1972 when 1200 acres of the village were closed off for "security reasons." When the villagers tried to continue farming the land, the Israeli army sprayed their crops with defoliants. The land was then cleared for the newly constructed Israeli settlement of Gitit whose 25 families now farm 600 of the 1200 confiscated acres. The villagers of Akraba, denied access even to the uncultivated acres, are, stated Quiring, "met with gunfire from the settlers" when attempting to return to their land.

The problem of confiscation is not merely an academic one. According to Israeli Agriculture Minister Ariel Sharon, 15 new Jewish settlements have opened on the West Bank in the last year alone. Quiring, who returned again from Israel this summer, reports that land confiscation associated with these settlements is "continuing on a large scale."

The struggle between occupier and occupied concerns water as well as land. In its section on Israel, the U.S. State Department's *Human Rights Report, 1978,* while failing to mention land expropriation, does refer to "diversion of essential water resources." And Quiring notes that "by their location, [Israeli] settlements are in direct competition with Arab villages for the West Bank's limited water resources." The Israeli National Water Authority has seized four wells owned by "absentee" owners and drilled 14 new wells; water pumped by these wells is "used exclusively by the Israeli settlements and has not been made available to Palestine farmers." Quiring knows of no Palestinian villages or individuals who have been permitted to drill new irrigation wells since 1967. The result: "Fewer wells providing less water for Palestinian agriculture in the Jordan Valley" today than in 1967. The new Israeli wells not only deny necessary additional water to Palestinian farmers, they also deplete existing Palestinian wells and springs, which supply domestic and irrigation water for Palestinian villages.

One example concerns the village of Tel el-Bada in the Jordan Valley. In 1968, the Israeli settlement of Mehola dug a nearby well. As a result, the central spring of Tel el-Bada, which before 1970 had supplied 80 cubic meters of water per hour, now supplies five cubic meters per hour. Now, according to Quiring, "The villagers and their livestock must wade into a semi-stagnant pool to obtain drinking water." Diseases related to unsanitary drinking water conditions have increased, and village orchards have begun to die.

The Israeli Water Authority responded by offering to compensate Tel el-Bada and a neighboring village by connecting the villages to the water network of Mehola, whose Jewish settlers have "as much water as we need." The Palestinian villagers, according to Quiring, do not wish to become dependent for their water on a "settlement which was built in part on land confiscated from their village and whose pump has now nearly eliminated their own source of water."

Israel's Jewish settlements have been facilitated by the expulsion of Arabs, by the denial of the right of return to other Arabs (e.g., the 200,000 Palestinians who fled the West Bank during and soon after the 1967 war), and by the wholesale destruction of Arab homes and entire villages. In the Golan, Israel created 25 settlements on land which, before the 1967 war, was inhabited by nearly 100,000 Syrians whose 100 villages were destroyed by Israeli bulldozers.

On the West Bank, a National Council of Churches investigative team reported in 1968 that "the villages of Yalu, Nuba and Emmaus were occupied by Israeli military forces on June 9, 1967, with little or no destruction because the Arab population did not resist. Within the next few weeks, all homes and other buildings were systematically destroyed except for a church and two Muslim shrines in Emmaus which were later demolished. The people of the villages, numbering over 4000, have been scattered. Some were killed in the blasting of the homes."

The lands of these villages are now incorporated into Canada Park (which covers 1050 acres, a third of it consisting of orchards) and the Mevo Horon settlement.

In East Jerusalem, Israel had, as of January 1977, according to H.D.S. Greenway of the *Washington Post*, evicted approximately 6500 Arabs from the Old City. Some of the Arab homes have been destroyed (to create, for example, a plaza for the Western Wall), and others have been occupied by Jewish settlers as part of an "urban renewal" program in the Old Jewish Quarter. Greenway notes that Israel's policy is to "drive Arabs out to keep the new, restored Jewish quarter exclusively Jewish, which it never was in the past."

The most extensive expropriation of land and expulsion of Arabs under Israeli occupation has occurred in the northeast Sinai, known as the Rafah Gap (or Approaches). Egypt insists that Israeli settlers must leave all the Sinai settlements, of which Yamit is the largest and best known. Yamit is located in an area where, from 1969 to 1974, the Israeli government confiscated over 35,000 acres from 10,000 Egyptian peasants. Israeli journalist Amnon Kapeliouk, writing in *Le Monde* (May 15, 1975), reported that, in January 1972, under the direction of General Ariel Sharon, Israeli bulldozers "destroyed thousands of blossoming fruit trees . . . The Arab owners of these orchards have been ex-

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Arab land on a large scale.

pelled from their lands and their houses destroyed so that Jewish colonies can be established in their place." Crops were destroyed, the mosque and school razed to the ground, and wells filled in. In 1973, Israeli soldiers confiscated 90,000 acres of fertile land from a Bedouin tribe in the Rafah Gap and expelled a thousand members of the tribe. Israeli authorities also obtained land through the use of such methods as inducing a nine-year-old to "sign over" his family's land, negotiating with a landowner in the path of bulldozers, withholding CARE packages, and threatening to fire government employees, including teachers. Many of the expelled farmers are now forced to work as day laborers on what was once their own land.

Some Israeli Jews protested. The secretary of the Mapam Party's kibbutzim wrote in *Ma'ariv* (Feb. 21, 1975) that "the expulsion, and the expropriation . . . is a dishonorable page in Israel's history."

"Racist discrimination" is the way Israel Shahak chose to describe Israeli settlement policies in his testimony before the Senate Judiciary Subcommittee on Immigration and Naturalization. He, too, remarked on the parallels to South African practice: "Jews living in the area of the state of Israel have the right to settle in the occupied territories, but the inhabitants of those territories have no corresponding right to settle in Israel. In fact, the situation is at least theoretically worse than it is in South Africa, because there, on paper at least, the whites are not allowed to settle in the 'black' territory and the blacks in the 'white' ones. Here we have one group of human beings allowed to live where they please, merely because they were born Jews or converted to the Jewish religion, and a second one not only denied a mutual right, but even squeezed out of their territory."

ALTHOUGH THE DETAILS ARE STILL vague, it appears that the Camp David accords will bring little or no relief to the Palestinian Arabs. Indeed, it is remarkably similar to (if more ambiguous than) the plan for "self-rule" on the West Bank and Gaza that Begin offered at the end of last year. Regarding that plan, the *New York Times* noted editorially that "it does not take an Arab eye to read into it much 'rule' but little 'self.'"

In the Begin plan, for instance, Israel maintained its claim to sovereignty over the West Bank, agreeing only to *discuss* the question after a period of five years. Nowhere in the present accord does Israel relinquish that claim—it expects only to "decide" the question within five years, with the signing of an Israel-Jordan peace treaty.

Moreover, there is no indication that Israeli Jewish settlement of the occupied lands would come to a halt under the present accord. These settlements, we have seen, invariably entail expropriation of Arab land, expulsion of the inhabitants, competition over water resources, and even physical violence against the native population. The Camp David accord not only neglects these past violations of Palestinian rights, it would, in Begin's view, free Israel to press ahead with new settlements after only a three-month moratorium. Significantly, Foreign Minister Dayan promised the Knesset, with regard to the Begin plan, that any effort by West Bank residents to limit Israeli Jewish settlements would be met by force: "How will I prevent their refusal to sell land to Jews? . . . By force of the army" (*New York Times*, Dec. 30, 1977).

Unlike the current accord, the Begin plan at least promised "symmetric justice" to permit Palestinian residents of the West Bank and Gaza to acquire land and settle in Israel. Even that previous offer, however, was a sham. Arab buyers would first have to acquire Israeli citizenship, which is difficult for non-Jews. Next, they would confront the fact that 92 percent of the land in Israel is controlled by the Jewish National Fund, whose principles dictate that the lands are to be held in "perpetuity" for the "Jewish people" and restricted to uses that are "directly or indirectly beneficial to persons of Jewish religion, race or origin." As Dayan reassured the Knesset, "There is no danger of Arab land purchases in Israel, since 92 percent of Israeli land is in public hands and is in the hands of the Land Authority and the remaining 8 percent are privately owned and all settled . . . " (*Foreign Broadcasts Information Service*, Dec. 29, 1977).

Like the Begin plan, the Camp David accord makes no clear commitment to resettle the approximately 1.5 million Palestinian refugees living outside Israel and the occupied territories. Last year, Dayan promised the Knesset that he would use the army to "prevent the influx of hundreds of thousands of refugees from Lebanon" against Israel's will (*New York Times*, Dec. 30, 1977). Begin interprets the new accords as giving Israel the right to strictly limit refugee return.

Moreover, no provision whatsoever is made for the return of Palestinian refugees to their lands inside Israel proper—a right guaranteed generally by the UN Declaration of Human Rights and specifically by the 1948 UN General Assembly Resolution 194 and subsequent reaffirmations of that resolution. Nor could these refugees—who fled Israel before 1967—even be resettled in the West Bank.

Begin once argued that his original plan would give West Bank and Gaza Palestinians more rights than they received under the Turks, British, Jordanians, and Egyptians. Neither that plan, nor the new accords, however, grant Palestinians the true self-determination promised them by President Wilson, the League of Nations, the UN partition plan of 1947—the very partition plan upon which Israel bases its right to exist—or the UN Charter. But it is doubtful whether a settler-state based on exclusive claims to the land is even as benign an occupier as the distant Turks, the British mandate authority, or the Arab governments of Cairo and Amman. At Yamit, one Egyptian villager asked, "Why are they driving us out? Is an Arab not a human being?" Another villager remarked, "We have been ruled by the Turks, the English, and the Egyptians in turn, but none of them dared touch our land. But when it comes to the Israelis, their one idea seems to be to expropriate us."

A West Bank farmer lamented, "They have taken three-quarters of what my father left me. There is no land for my sons to till. One of them is now a day laborer for the Israelis. The other two have had to leave the country to find work." Viewing his parched fields, another West Bank farmer said that while he could dismantle the nearby Israeli well some night, "the Israelis would take all our land, and the American newspapers would report that the terrorists had struck again." He summed up Israeli policy by quoting the twenty-third chapter of Exodus: ". . . By little and little will I drive them out before thee, until thou be increased, and inherit the land." ❑

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The 1974 campaign act stymied independents. Now even the Republicans are running scared.

Rigging Election Reform

By Mary Meehan

IN THE WAKE OF THE Watergate scandals, Congress promised the American people tough legislation to prevent further campaign abuses. It finally came up with the Federal Election Campaign Act of 1974—touted as a comprehensive and hard-hitting reform of the election laws.

But the Federal Election Campaign Act—which ironically leaves entrenched special interests in a more powerful position than ever—cannot be understood at all if viewed as an altruistic reform. The key to understanding the way it was written and the way it works is to view it as a treaty among five special interests: the Democratic Party, the Republican Party, incumbents, big labor, and big business.

After a war called Watergate, the great powers met to hammer out a treaty. The task of the 1974 peace conference, which took place in Congress with assistance from the outside, was to divide financial territory for the post-Watergate era. This had to be done in such a way as to give an appearance of integrity and fairness. And if the treaty itself, like the Versailles Treaty after World War I, did not have that appearance, then opinion leaders must be persuaded to make the public think that it did. Woodrow Wilson served the purpose in 1919; Common Cause and most of the press did the PR work in 1974.

Although most participants in the treaty conference were careful to express their purposes in the language of "reform" and "cleaning up the election process," occasionally someone revealed the conferees' hidden agenda. In House hearings on the election bill, Representative Morris K. Udall of Arizona, a major sponsor of the bill, explained why he had retreated from his earlier proposal of a mailing grant for congressional candidates. Udall said that his change was based "on practical grounds. I got my head torn off in the House dining room. There are two or three Members who, every time I walk in there, say 'this is the S.O.B. who wants to give our opponents the frank, the right to send out free mailings.'" Udall added, "I think it's a good idea, but we are clearly not going to get it through this committee or through the House." Representative Barber B. Conable of New York remarked, "I have heard a Congressman say, 'I'll vote for any election reform bill; it's bound to hurt my opponent more than me.'"

That is precisely what the election act did, and the result was no accident.

A major feature of the act was the setting of limits on the spending of all candidates. No one ever really explained what limits on spending had to do with preventing corruption, although the proponents' fuzzy rhetoric suggested that was the purpose. The real purpose was quite different. Members of Congress have enormous built-in advantages of name recognition, congressional staffs, district offices, Library of Congress research services, government-supported newsletters, and so forth. Yet none of their taxpayer-subsidized advantages (estimated by Americans for Democratic Action to be worth over $560,000 per member per year) count as spending under the election act. Spending limits thus severely discriminate against all candidates challenging incumbents. When then-Senator James L. Buckley of New York in 1974 sought to amend the election bill to raise the limits for challengers, 17 incumbents voted for his amendment. And 61 incumbents voted against it.

The Supreme Court later struck down the spending limits, although it suggested that a candidate might be required to abide by spending limits as a condition of obtaining public subsidies.

Another part of the election act—one upheld by the Court—places strict limits on an individual's contribution to a candidate for federal office: $1000 for a primary campaign and $1000 for the general election. This provision is supposed to prevent corruption. Perhaps its real purpose, and certainly its real effect, is to prevent insurgent candidates from obtaining the "seed money" needed for their races. Thus in 1975, Julian Bond called off his bid for the Democratic presidential nomination when he found that "we just couldn't raise enough cash." Bond's campaign manager explained that the election act made it illegal to borrow from a few persons the $20,000

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needed to start a direct-mail campaign.

Curiously, an individual was allowed to contribute $25,000 per year (later reduced to $20,000 per year) to the national committee of a political party. No one tried to explain why anything over $2000 could corrupt a presidential candidate, whereas $20,000 would not corrupt a national party chairman and, by association, the chairman's candidates. The explanation, as usual, had nothing to do with the ostensible purposes of the law. It was a matter of taking care of the interests of the Democratic and Republican national committees.

But $20,000 per person was not enough. A 1976 amendment to the election act provides that the word "contribution" does not include gifts or loans to a political party's national or state committee when such donations or loans are "specifically designated for the purpose of defraying any cost incurred with respect to the construction or purchase of any office facility which is not acquired for the purpose of influencing the election of any candidate in any particular election for Federal office." Congress must live in a dream world to envision a political party's "office facility" not being acquired to influence the election of particular candidates in particular elections. It might be acquired to influence the election of *all* party candidates in *all* elections. In 1977, the Republicans organized a Committee to Preserve the National Republican Center—that is, the $1.5 million Republican national headquarters, which is heavily mortgaged. Because donations to this committee, which is affiliated with the Republican National Committee, are not "contributions," individuals may give as much as they want. So may corporations and banks. Atlantic Richfield gave $25,000; Houston Natural Gas, $12,000; Superior Oil, $10,000; and the First Tennessee Bank, $5000. The Panax Corporation has pledged $25,000 or $35,000 (there is dispute over the exact amount) and has given $5000 so far. One hopes that the Republicans will show their appreciation by naming parts of the building after these and other corporate donors: Atlantic Richfield Wing, Westinghouse Electric Corridor, Getty Oil Conference Room.

The federal election act allows multicandidate "political action committees" to give $5000 to a candidate's primary campaign and another $5000 to his general-election campaign. That is only one of the favors for big labor and big business. Another is a clause that specifically allows unions and corporations that are government contractors to subsidize administrative costs of political action committees (PACs). This clause helps explain the spectacular growth of PACs since 1974.

Another significant provision in the 1974 act reduces the statute-of-limitations period for violations of election law. The previous period was five years; the new law reduced it to three. It just happened that, at the very time the law was being debated, the Justice Department was investigating an allegation that Democratic Party Chairman Robert Strauss, when he was treasurer of the party, had accepted an illegal cash contribution of $50,000 from the Ashland Oil Company. If appropriately changed, the statute of limitations would prevent his prosecution. It was, and it did.

When the contribution became public, Chairman Strauss said that he had understood it to consist of personal donations from Ashland executives. Late in 1975, Strauss announced that the Democratic National Committee would pay back the $50,000 to Ashland. By the middle of 1978, it had paid back only $7500 of the total.

Strauss was not the only prominent party figure to benefit from the change in the statute of limitations. By 1974, many members of Congress had been named as recipients of illegal corporate contributions. To no one's great surprise, they all claimed to have had no idea that the money came from corporate treasuries. The quiet change in the statute of limitations saved them from legal problems, if not from embarrassment.

All in all, the Democratic and Republican parties profited more by the election act than did any other special interests. Big labor and big business, after all, received only special rights to give money. The Democrats and Republicans received special rights to get money. The Democrats and Republicans received a king's ransom in public subsidies. Their presidential aspirants now could qualify for primary campaign subsidies. Their presidential nominees were each guaranteed over $20 million in public funds to run their fall campaigns. And, as if that were not enough, the two major parties were each guaranteed up to $2 million to run their nominating conventions.

And what of independents and minor parties? They received as much consideration in the 1974 act as did the Sudeten Germans in the Versailles Treaty. Independents and minor parties were rarely considered except by way of exclusion. Thus, although the law made minor parties and their candidates eligible for subsidies (smaller than those awarded the major parties), it defined a minor party as one which had won at least 5 percent of the popular vote in the previous presidential election—a test that none of the small parties which had participated in the 1972 presidential election could pass.

Spending limits hurt challengers.

But that was all right. The law's proponents assured them that if George Wallace had run as a third-party candidate in 1972, and if the election act had been in effect then, he would have been eligible for a subsidy. As the White Queen told Alice in *Through the Looking-Glass,* "The rule is, jam tomorrow and jam yesterday—but never jam today."

Although denied any benefit from the federal election act, the independents and minor parties are subjected to all of its restrictions. With small staffs, and a shortage of professional volunteers who can help with accounting and legal advice, they must cope with the law's burdensome disclosure requirements. Denied public subsidies, they are still subjected to the limits on private contributions. And at all times, they are subject to the whims of the Federal Election Commission (FEC), a six-member agency established to administer the election law.

Predictably, the commission generally favors the interests of those who control it—namely, the two major parties. When the Democrats and Republicans wanted the League of Women Voters to sponsor the 1976 Carter-Ford debates, the commission obligingly interpreted the law to permit the league to spend huge sums for the debates without counting the money as contributions to the Democratic and Republican candidates. To use a country lawyer's phrase, the commission "opened the gate and whipped the horses through." But when the supporters of independent candidate Eugene McCarthy requested an ad-

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visory opinion of crucial importance to their campaign, the commission waited nearly six weeks before considering the matter. Then it deadlocked with a party-line vote. The three Democratic commissioners, fearing that McCarthy could hurt Carter, all voted against him. So the McCarthy forces received no answers and were left to take their chances with the ambiguities of the election act.

The Federal Election Commission has compiled a long enforcement record of action against "nonfilers," whom it pursues with the zeal of a hanging judge. The nonfilers usually are innocent souls who really believe that any American child can grow up to be President, or at least to be a member of Congress. Most of them have little money of their own and no idea of how to raise money for a campaign. When they receive large stacks of registration and reporting forms from the Federal Election Commission, they are overwhelmed and intimidated. They cannot understand the forms and cannot afford to hire accountants. So they procrastinate, hoping that no one will notice. But the mighty FEC soon targets them, first sending them threatening letters and sometimes taking them to court and asking for fines of up to $5000. The FEC pursued one poverty-stricken congressional candidate in New Hampshire until it obtained a court order for him to fill out the forms and be fined $100. The man's only income was a veteran's disability pension of $173 a month. He had received no contributions for his campaign, and had spent scarcely anything on it. The U.S. marshals sent to look for this threat to clean elections found him in an old soldiers' home.

In another case of great importance, the FEC pursued Lar ("America First") Daly, a Chicago resident who enlivened many campaigns with his Uncle Sam suit and his fights against the Establishment. Mr. Daly ran against Senator Charles Percy in the Republican primary last March. Like many other candidates, he initially failed to file a statement of candidacy, designate a principal campaign committee, or file financial reports with the FEC. After receiving threatening notices from the commission, he finally wrote them to explain that he had been in the hospital much of the time since December; that his campaign had been halted by his sickness; that he had received no contributions; and that he had spent about $294 on his campaign. One would think that this information—added to the fact that Daly won only 15 percent of the vote in the March 21 primary—might have slowed the FEC down. No way. An FEC staffer sent back a form letter telling Daly to designate a principal campaign committee and a bank for his campaign account. Lar Daly apparently did not have time to file the appropriate pieces of paper. He died of a lung ailment on April 17. The Federal Election Commission then showed its magnanimity by voting—formally and in executive session—"to take no further action and close the file" because of the candidate's death.

After three years of harassing people like Lar Daly, the FEC has finally decided not to pursue such candidates into court. In those three years, however, the FEC presumably was too busy with such cases to check allegations involving candidates and ex-candidates with influence in the White House or clout on Capitol Hill. It never investigated an allegation that unnamed senators received campaign contributions from former Senator Hugh Scott of Pennsylvania and failed to disclose them as required by law. An allegation that contributions were made by one person in the name of another, in order to obtain matching funds for the Ford and Carter campaigns, met the same fate. So did an allegation that a major corporation solicited illegal corporate contributions for the Carter campaign. So did an admission of illegal corporate contributions by Armco Steel Corporation.

NO ONE SHOULD be surprised by the FEC's enforcement record; it is after all a creature of Congress. The 1974 election act gave the Speaker of the House and the president pro tempore of the Senate the right to appoint four of the six commissioners. The president appoints the other two, with all six subject to confirmation by both houses of Congress. But the Supreme Court, which strained to uphold other parts of the election act, could not tolerate this violation of the Constitution's provision concerning appointments. The Court suggested instead that Congress provide for appointment by the President alone and confirmation by the Senate alone. After Congress complied, President Gerald Ford promptly reappointed all of the original six commissioners who wanted reappointment (only one did not). He thus confirmed the original congressional intent that Congress, and the Democratic and Republican parties, would control the commission.

Congress also gave itself a veto over regulations proposed by the commission—a device of questionable constitutionality, but one which has not been thoroughly tested in the courts.

The method of appointment and the legislative veto are, in a sense, excess baggage. What really guarantees congressional control of the commission is the (constitutional) power of Congress to pass appropriations and to amend existing laws. Whenever the commission shows any sign of genuine independence, Congress can—and will—either cut its appropriations or pass amendments forbidding what the commission wants to do.

The amendment option is most clearly demonstrated by the issue of random audits. In 1977, the commission undertook many audits of congressional and other campaigns. The congressional targets were randomly selected by computer. House members soon rose up in arms, complaining that their contributors were being intimidated and that their funding sources might be reduced or cut off. Members of the House Administration Committee subjected FEC representatives to intense questions and complaints about the audits during hearings in the fall of 1977. Representative Ted Risenhoover of Oklahoma, after complaining at length about the audits, told them, "If you think the House of Representatives can't change legislation or repeal it, you are very wrong. . . . From my experience with the administration of this act so far, I would vote tomorrow to repeal the entire act."

By April 1978, after a steady drumfire of criticism from the House, the commission decided that a retreat was in order. It revised its audit policy in such a way as to preclude most random audits of congressional campaigns. But the House committee, not satisfied by this concession, added a rider to the FEC authorization bill, forbidding the FEC to audit a House or Senate campaign "unless such audit is based on a finding by the Commission of reason to believe that a violation of this Act has occurred." In other words, no more random audits of congressional campaigns. The bill is still in conference committee, but if the Senate accepts the House rider, noncon-

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gressional campaigns may still be subjected to random audits, according to the whims of the FEC.

The Federal Election Commission will never be an independent or impartial agency. When minor parties or nonparty candidates are involved, the commission is the fox guarding the chicken coop. And when the two major parties are involved, the commission is bound to be, as Eugene McCarthy once noted, a group of "chickens watching a fox den."

The FEC might continue in existence for many years, trying to sustain the fiction that the federal election act really means something more than a division of spoils. Then again, it might not. There has already been a falling-out among the two major parties.

The Republicans and big business were always reluctant supporters of the FEC. At heart, they would have preferred to have no election act at all. As realists, however, most of them succumbed to the pressures for "reform" occasioned by the Watergate scandals. They were, however, determined to protect their interests as best they could.

Although most Republicans opposed in principle the idea of public subsidies for campaigns, they made sure that the Republicans would get just as much as the Democrats. Big business, unhappy about many restrictions in the bill, felt reassured by the provisions for political action committees (PACs). For a short time, everyone was happy, or at least pretended to be.

Strains among the great powers emerged as early as 1976, when the Supreme Court decision in *Buckley* v. *Valeo* forced Congress to modify the federal election act. The Democrats and big labor used the occasion to restrict the way in which a corpo-

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ration's PAC could solicit contributions from the corporation's blue-collar employees. They made no effort to be particularly subtle about this. But because the Republicans could have filibustered in the Senate, and because both parties were anxious to obtain matching funds for their presidential candidates, they finally reached a compromise. (Corporate PACs were allowed to solicit from blue-collar employees only twice each year and only by mail.) But the length and bitterness of the fight served notice of Democratic intentions on the Republicans and the business lobbyists. The Democrats stood ready to use their overwhelming majority in Congress to change the act to their advantage.

The Democrats are incredibly piggy.

THE INITIAL SUCcess of the Democrats made them greedy. In 1977, President Jimmy Carter had the opportunity to appoint two new commissioners to the FEC. The federal election act provides that no more than three of the six commisssioners may be from the same political party. Although phrased in a roundabout way, presumably to avoid constitutional challenge, this really means that there will be three Democrats and three Republicans. Carter had the chance to appoint one Democrat and one Republican. His Democratic choice was John McGarry, a protégé of House Speaker Tip O'Neill. His Republican choice, selected over the vehement opposition of the Republican congressional leadership, was Samuel Zagoria. Zagoria's background includes 10 years' work for a liberal Republican, Senator Clifford Case of New Jersey, nine or 10 years' work for the *Washington Post,* service as head of the Washington Newspaper Guild, and service on the National Labor Relations Board as an LBJ appointee. First a Lyndon Johnson Republican, then a Jimmy Carter Republican. In his next reincarnation, Zagoria may be a Teddy Kennedy Republican. Why not?

Senate Republicans, angered by Carter's breaking his promise to choose Republican FEC members from lists provided by the GOP congressional leadership, delayed action on Zagoria's nomination from October 1977 until the following summer. They closed in for a kill when the Senate Rules Committee finally reopened its confirmation hearing in August. The GOP members all agreed that Zagoria is a fine, upstanding citizen and a real Republican. But why, they wondered, was he first contacted about the possibility of filling a Republican slot on the commission by Democratic FEC member Thomas Harris? They were about to call Harris in to explain when—whoosh!—Carter agreed to withdrawal of the Zagoria nomination. The White House did not want to be embarrassed, and it did not want to further alienate the Senate minority leader, Howard Baker, whose cooperation it needed on other issues.

While Republicans in the Senate were still in the early stages of the Zagoria fight, Republicans in the House were engaged in an even more bitter battle. They were trying to stop the Democrats from crippling the GOP congressional campaign operation.

Leading Democrats on the House Administration Committee knew how to count. Though they supported proposals for public financing of congressional campaigns (proposals that were bound to favor incumbents, and thus Democrats, against challengers), they knew that public funding did not have enough votes to pass in 1978. So they turned their attention to more direct ways of preventing Republican gains in the 1978 congressional elections.

Republican committees were ahead of their Democratic counterparts by nearly eight to one in cash on hand ($9.4 million for the Republicans and $1.2 million for the Democrats). In the special House elections of 1977, Republicans had won four of six previously Democratic seats. Making it illegal for Republicans to spend on their 1978 House campaigns most of the money they had raised seemed to be the easiest way for the Democrats to keep their huge majority in the House. Far easier to do that than to convince the people to support "the party of the people."

One Republican source in the House suspects that the Democrats turned their researchers loose on Republican financial reports filed with the FEC, found how national Republican groups were funneling money to House candidates, and devised amendments precisely to block this flow. The amendments appeared to be neatly tailored to the purpose. They would have reduced from $50,000 to $15,000 the amount of money that a political party's various committees could spend to back a House candidate. Tip O'Neill candidly said of the Democrats' proposal: "In a partisan way, I am very, very definitely in favor of it."

Representative Bill Frenzel of Minnesota, responding for the Republicans, declared, "This is the most baldfaced attack on the minority by the majority I've ever seen. They're hogs. They're not content to have a two-thirds majority. They want it all." The Democratic proposal was, he said, "incredibly piggy." Other Republicans reacted the same way. And even Common Cause called the Democrats' ploy a "partisan grab for political advantage" and "partisan overreaching." That was a curious response. Common Cause, pushing the federal election act, had loaded the gun, handed it to the Democrats, and all but pointed it at the Republicans.

In protest, the Republicans stalled on the House floor to obstruct passage of legislation the Democrats wanted. They demanded quorum calls and roll-call votes wherever possible and generally made life miserable for the Democrats—all the while screaming to the press about the Democrats' "dirty-dealing, back-room, devious actions . . . as they attempt to railroad this travesty through Congress."

The press supported the Republicans. The Democrats finally backed down, offering to withdraw their plan to cut party committee spending. But they refused to withdraw two other amendments opposed by the Republicans. One of them would have limited transfers between state and national committees, thus accomplishing an indirect reduction in Republican money. By this time, there was so much bad blood between the two parties in the House that compromise was impossible. The Republicans, joined by some Democrats, voted against even taking up the election amendments in the full House. By a margin of 11 votes, they prevented consideration of the bill.

Saved for a day, perhaps a year. But the Federal Election Campaign Act has already strangled insurgent politics. The Republicans may be the next to go. If so, the irony would be that they had originally cosigned their own death warrant. ❑

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THE INFLATION CRISIS, AND HOW TO RESOLVE IT, by Henry Hazlitt. Arlington House, 192 pp., $8.95.

BEYOND BOOM AND CRASH, by Robert L. Heilbroner. W. W. Norton, 104 pp., $6.95.

MANIAS, PANICS, AND CRASHES: A History of Financial Crises, by Charles P. Kindleberger. Basic Books, 271 pp., $12.95.

Boom! Crack! Crash!

MURRAY N. ROTHBARD

THINGS HAVE COME TO A pretty pass when we have to hail economists for writing in clear, understandable English, for deigning to communicate with the public in an intelligible fashion. These days, of course, removing the veil of obscurantist jargon and mathematical charts and equations beloved by the economics guild is considered to be "unscientific" if not downright humanistic. As a distinguished economist expostulated when he found himself in a conference discussing the question of freedom: "What is this 'freedom'? I can't *measure* it!" There are no Brownie points or National Science Foundation grants to be obtained by being understandable to the average reader.

Considering the current dismal state of the dismal science, all three of our authors deserve plaudits for daring to write briefly, in clear English, on a topic of great and continuing interest to the general public—inflation and economic crisis. Once said, however, the verdict on the merits of each of these three works must diverge sharply. It is not enough, after all, to be clear and brief; one must also have a pretty good idea of what one is saying.

Robert Heilbroner, like John Kenneth Galbraith, might be said to fall into the category of "popular economist": that is, someone who knows virtually nothing about economics, yet manages to write a series of best sellers on the subject, read avidly and almost exclusively by noneconomists, who exclaim over the profundities therein. Even in this class, Heilbroner is a lightweight, for he knows even less economics than Galbraith does, and lacks the mordant wit (derived, if not cribbed, from Veblen) and the aristocratic life style of the famous opponent of affluence. Still, Heilbroner has managed to belt out a series of books, each even less distinguished than its predecessor. His new volume is so skimpy as to fall into the category of "nonbook."

Heilbroner spends his time dancing around the topic of inflation and business cycles without once coming to any cogent conclusion on the subject. Indeed, he displays almost a genius for missing the point. He wonders how it is that markets work as well as they do, because he apparently cannot grasp the role of the price system's incentives in conveying knowledge of supply and demand conditions to all the market participants, who adjust their actions to that knowledge. Since Heilbroner adopts the view, taken over wholesale from Victorian-era Marxism, that "susceptibility to crisis" is inherent in the process of business expansion itself, he obtusely has to reject any fundamental monetary explanation even of inflation. So anxious is Heilbroner to deny monetary causes for crises that he dismisses runaway inflation as unimportant and as occurring only as "the consequence of political collapse"—a category in which it is difficult to fit either the runaway inflation of the American Revolution or of the famous German hyperinflation of 1923.

Sometimes Heilbroner's whoppers are almost breathtaking. He believes, for example, that Keynesianism explains the current inflationary recession (or "stagflation"), when it is precisely this violation of all the canons of their creed that has caused many Keynesians to rethink their entire position. And there is his assertion that "the steady intermeshing of state and economy will be feared and fought [by the business community] as tantamount to a surrender to socialism." Surely, by now, every literate person knows that virtually every step into statism in our time has been led and supported by influential members of the business community, for reasons that are easy enough to fathom, since they have been among the chief beneficiaries.

Throughout the book, Heilbroner searches, almost desperately, for *something* that will propel society into the central planning that he alleges is inevitable. He considers inflation and business cycles, mutters about oil scarcity or perhaps oil surpluses, and finally falls back upon a fashionable concern for the "environment." He is never quite sure what will bring us to his promised land, but he *is* certain that something will turn up.

At the same time, Heilbroner avoids like the plague any discussion of some major problems centrally planned economies have experienced in the twentieth century, from the failure of war communism and the liquidation of the kulaks in Russia, to the breakdown of central planning in Eastern Europe, and the forced draft of labor in Cambodia. Likewise, he neglects recent events that are indicative of larger difficulties—inflation in China and Yugoslavia, anti-price-hike riots in Poland, miners' strikes in Rumania, roller-coaster changes of economic policy in China, corruption scandals in Vietnam, and shortages of staples in Cuba. Nor does Heilbroner choose to

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spell out in any kind of detail the consequences for human liberty of central planning, although in a recent essay in *Dissent,* he candidly states that planning requires command from above and a moral conformism that treats dissent as heresy.

IN A SENSE, KINDLEBERGER's is the most curious of the three works. It is hard to know for whom he is writing, or to what point. A distinguished Establishment opponent of Friedmanite monetarism in international trade, Kindleberger seems here to be carrying his war against Friedmanism into the field of money and business cycles. But it is done with such a bluff scorn for theory as to lapse into a kind of mindlessness. Concerned to deny the crucial role of money in business cycles, Kindleberger first rules out the broad field of cycles altogether in order to stick merely to financial panics. Concentrating on this narrow area, it is easy for Kindleberger to lapse into a mere nonanalytic recital of financial booms and busts, and to adopt the kind of witless "theory" that attributes these events to unexplainable "manias" and moods of "mass hysteria" that strike the market from time to time.

We need not adopt the Friedmanite "rational expectations" theory that the market always perfectly anticipates the future, about which Kindleberger has some shrewd things to say, in order to reject Kindleberger's "mania" approach. After all, entrepreneurs who are subject to such mood swings will fail at business very early in the game. Kindleberger refuses to give sufficient weight to the fact that all these speculative "manias" are made possible and brought about by bank-credit expansion. It is the continuing introduction of new money into the economy that raises prices and gives rise to the not irrational expectation that prices will continue to go up. The inflationary bubble collapses, not because people suddenly become pessimistic, but because the banks collapse, and credit contracts rather than expands. The business mood is a rational consequence of changes in objective conditions.

Neither in this book nor in his previous *The World in Depression, 1929–1939* does Kindleberger display any familiarity with the Austrian theory that expansion of money and bank credit *not only* causes inflation (the Friedmanite view), *but also* leads to uneconomic investments that require a recession to liquidate and set right. But then, by focusing solely on financial speculation and avoiding the structure of production, Kindleberger has precluded any consideration of such a theory.

Heilbroner adopts an antiquated Marxian view of business expansion.

Turning to Henry Hazlitt is a particular pleasure after the other two works. For Hazlitt not only has the clearest and most lucid writing style of the three; of all economists who are gifted at writing for a popular audience, Hazlitt has by far the soundest grasp of his subject. Hence, he is able to put correct and even profound analysis into a highly readable style.

Two decades ago, Henry Hazlitt wrote a primer on inflation, *What You Should Know About Inflation.* In the present work, he briefly summarizes his previous analysis, and then goes on to address various more complex problems on the subject of inflation. His subtle and clear blend of analysis and statistical illustration is a delight. In contrast to Heilbroner, Hazlitt understands full well the menace of runaway inflation, and he expounds and analyzes the German case of 1923. There is a devastating demolition of the revered "Phillips curve," which assumes an inverse correlation between inflation and unemployment. The Friedmanites are taken over the coals for their mechanistic version of the quantity theory of money, their concept of velocity, and their faulty and dangerous concept of indexating as a way of taking the sting out of inflation.

Alone of our authors, moreover, Hazlitt points out the class interest of politicians in promoting inflation. For increasing the money supply will enable prices to run ahead of wages, and will provide a flow of subsidies to favored political groups.

Above all, Hazlitt is totally familiar with Austrian theory, not simply with its business-cycle analysis, but also with its view that the value of money depends on subjective valuations rather than mechanistic correlations, and with adherence to gold money as a means of radically separating money from the state. Hazlitt understands that only such separation will put the problem of chronic and accelerating inflation to rest.

It is instructive to contrast the Hazlitt and Heilbroner volumes. It is not simply that they are at opposite poles, politically and economically. There is scarcely a fact or a hard piece of analysis in the Heilbroner book. All is cloudy and vaporous, tied only to windy rhetoric about a supposedly inevitable triumph of planning. In Hazlitt, there are facts and keen analysis aplenty, but all laid out clearly and forthrightly before the reader. If this were a just world, the Heilbroner volume would be quickly remaindered, while the Hazlitt would sell like hotcakes to a panting public. Perhaps this will be the time. ❏

***THE PUBLIC AND AMERICAN FOREIGN POLICY, 1918–1978,* by Ralph B. Levering. William Morrow, 192 pp., $7.95 hardcover, $3.95 paper.**

All of the people all the time

BARTON J. BERNSTEIN

UP UNTIL THE VIETNAM War turned sour, many American intellectuals exaggerated and lamented the influence of public opinion on foreign policy, decried the public's addiction to moralism and legalism, and advocated policymaking

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by an elite of experts. Promoted by such analysts as George Kennan, Walter Lippmann, and Hans Morgenthau, this line of argument became a compelling orthodoxy. The public was denounced for its alleged successive failures—isolationism in the 1920s and 1930s, naiveté about the Soviet Union in the mid-1940s, and virulent anti-Communism in the 1950s.

Cold War revisionism and the painful war in Vietnam have compelled many to reconsider their assumptions about the near infallibility of an elite and the suitably subordinate role of the public in shaping foreign policy. Expressing these concerns, Ralph Levering, a liberal historian who rues the excesses of the Cold War, has written a brief survey of twentieth-century public opinion and foreign policy. It is "an overview of public involvement in foreign policy issues," with emphasis on the general public, the minority of "foreign policy activists," and the mass media.

One of Levering's major points, according to his introduction, is that critics of public involvement in foreign policy have often neglected "the strong influence that government officials have on public opinion." Unfortunately, this important theme stumbles in and out of the text as the author struggles to present material on the attitudes of different social groups (primarily defined by education, ethnicity, party, and media usage, and occasionally by religion, region, and income) on various topics—the larger problems of isolationism and internationalism, the specific challenges of fascism and communism, and such issues as the World Court, the United Nations, the Truman Doctrine, nuclear testing, the Cuban missile crisis, and the Indochina war.

Partly because so much of the study is based on polling data, which do not provide discrete information on corporate leaders, the book uses categories that avoid the reality of power, minimize the significance of great wealth, and ignore the social backgrounds of foreign policy advisers and decision makers. It is a book that believes in survey data, not social analysis. The result is that the author charts shifting public attitudes but often is unsure—or slippery—on who actually controls foreign policy, and on how and why public opinion changes. The volume fails to explain the formation of a consensus on foreign policy, neglects an analysis of ideology, and glides past key events. Thus it virtually ignores major examples of manipulation.

Consider the rise of the Cold War and the enrollment of the citizenry in the crusade against the Soviet Union and international Communism. Since most scholars agree that the Cold War erupted over Eastern Europe, there is the troubling question of why the American people interpreted as Soviet perfidy the disputes of 1945–1946 over Rumania, Bulgaria, Hungary, and Poland. Was there manipulation? Yes. The government also concealed critical information. Roosevelt never acknowledged to the American public that the Churchill-Stalin understanding of October 1944, the armistice agreements of the autumn and winter, and the Yalta provisions of February 1945 had all sanctioned Soviet control of Rumania, Bulgaria, and Hungary. And when an adviser complained that the Yalta agreement on Poland was so ambiguous as to allow Communist domination of its government, Roosevelt replied, "I know it. But it's the best I can do for Poland at this time." What would have happened if Roosevelt had told Americans that he was recognizing these nations as Soviet spheres of influence and that there was little possibility of democratic governments there? Could the Truman administration have still complained about the Soviets breaking agreements and acting perfidiously in Eastern Europe? Or would Americans have understood what was really happening—that Truman's administration was trying to overturn the arrangements that Roosevelt had approved?

Or, to cite another important case, consider the launching of the Truman Doctrine in March 1947: the President's request for $400 million in economic and military aid for Greece and Turkey as part of a program whereby "the United States [must] support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." The administration exaggerated the crisis in both Greece and Turkey, blamed the Soviets for the upheaval in Greece, defined it as "aggression," and thus prepared Americans for "get tough" policies. When a presidential aide complained, "There has been no overt action [by] the Soviet Union which serves as an adequate pretext for [this] 'all-out' speech," Clark Clifford, Truman's special counsel, explained that it was "the opening gun in a campaign to bring people . . . to [the] realization that the war isn't over by any means." Put bluntly, Americans had to be mobilized to oppose Communism abroad.

President Truman tried to enroll Americans in a crusade against Soviet Russia.

*IN SECURING THE MAR-*shall Plan, the Truman administration skillfully misrepresented its terms and concealed its strategy. Seeking to reconstruct Europe as an American-led capitalist system, the administration knew that the plan would be unacceptable to the Soviets. They were expected, under the plan, to open their territory to American agents, to reveal secret data on their economy, to move toward economic multilateralism and away from state trading, and to allow the United States to pry the satellite nations out of the Soviet orbit by reorienting their trade to the West. While fully anticipating that these terms would compel Soviet rejection, in public American leaders acted as if they were sincerely inviting Soviet participation. Truman's offer of money for reconstruction seemed generous. His strategy cleverly avoided blame for dividing Europe and placed the onus on the Soviets. Stalin's rejection of the Marshall Plan was interpreted in America and Western Europe as additional evidence of Soviet malevolence and paranoid suspicion. What would have happened if Americans and Western Europeans had discovered that the State Department had expected, and wanted, the Soviets to refuse to join the Marshall Plan—indeed, that Washington's long-term goals depended on that refusal?

Though administrations have frequently been successful in manipulating public opinion, there are important constraints, especially in the short

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run. Take, for example, the Cuban missile crisis of 1962. John F. Kennedy had himself fanned the flames of anti-Castro and anti-Soviet resentment in the presidential campaign of 1960, when he skewered Eisenhower and Nixon for "allowing the triumph of Communism in this hemisphere." By the summer of 1962, under assault for not deposing Castro and not "enforcing the Monroe Doctrine," Kennedy tried to minimize the Soviet military build-up in Cuba in order to defuse his right-wing critics and reduce Democratic losses in the November elections. "Cuba is the number-one issue," declared the GOP, in condemning JFK's "tragic irresolution." Some Republicans even charged that there were Soviet missiles in Cuba. When Kennedy learned in mid-October that the critics were right about missiles in Cuba, he was boxed in. He lacked the time to educate the public to the fact that these additional weapons in no way altered the military balance. Now it was too late for such an argument. Had he wished to accede to the presence of missiles in Cuba, he might have been impeached. Kennedy concluded that he had to act decisively and that he could not first try private negotiations, partly because news of the missiles might leak out and his party and program would suffer. Electoral politics and the anticipated demands of the military restricted his options. He eagerly chose a public confrontation with Khrushchev and offered the Soviet premier the painful choice of either retreat and humiliation, or else nuclear holocaust.

During the week of crisis, the administration skillfully managed the news. In discussing this strategy, one aide at a high-level conference raised the question, "Do we have a plan to brainwash the key press?" That week, the answer became clear. The administration exaggerated the range of the missiles, denied that they were analogous to our "defensive" missiles in Turkey, and deceived the American public on the fact that most of the missiles in Cuba were operational during the crisis. Ironically, had Americans known that these weapons were operational, they might have condemned JFK for dallying a week before imposing the quarantine and demanding a Soviet retreat.

Not only does Levering's book neglect critical instances of manipulation, but readers will search in vain for any analysis of such key institutions as the Council on Foreign Relations (treated in a sentence) or the Trilateral Commission (not mentioned). Members of these bodies, however, do indeed exercise great influence on American foreign policy. Levering implicitly rejects the theory of a ruling class and does not even consider that the Trilateral and the CFR are key filters for selecting foreign-policy advisers and, possibly, even presidential candidates. Carter, for example, despite self-proclaimed populist leanings, was a member of the Trilateral—founded by David Rockefeller—where he worked with Samuel P. Huntington and Zbigniew Brzezinski.

Basically, this book, like much liberal work on American society, relies upon a modified model of pluralism and avoids basic questions about concentrated power. As a result, the author can comfortably plead for a more informed public opinion and a more knowledgeable dialogue on foreign policy without ever realizing that information and knowledge can be a threat to powerful interests. ❏

KOLYMA: The Arctic Death Camps, by Robert Conquest. Viking Press Inc., 254 pp., $10.95.

Stalin's garden

DAVID LONGLEY

I APPROACHED ROBERT Conquest's *Kolyma* with mixed feelings. Yet another book about the Soviet camps? What could there be left to say? In fact, most of the material used here is already available in English, much of it in Conquest's own *The Great Terror*. True, there is some new material, most notably the excerpts from Varlam Shalamov's *Kolymskie Napiski*. But is it enough to justify a new book?

As for interpretation, Conquest offers very little. The book is baldly factual; clearly and unemotionally written, it is a plain, descriptive piece. Of course, this is a kind of trick, since selection and organization of material is itself argument, but there is justification for it.

Difficult though it may be to understand, there are still intelligent and otherwise humane people in the West prepared to defend the Soviet regime. Solzhenitsyn is dismissed by such persons as too obviously a man with a case to prove. Robert Conquest, on the other hand, presents his account almost without comment. Written in good, clear English, it will make a strong impression on any reader. Throughout, the facts are permitted to speak for themselves . . .

The facts he provides relate to the part of the USSR that lies closest to the United States: that long, bearlike peninsula that reaches out from northeast Siberia almost to touch Alaska. In it lies the Kolyma gold field. In the 1920s the gold was worked on a small scale by scattered private miners. This was replaced in the 1930s by a severe, but still relatively humane, camp system. Since 1937, however, the camp regime has been such that, as Conquest puts it, "for Russians . . . Kolyma is a word of horror wholly comparable to Auschwitz." One of Conquest's reasons for writing the book is that he feels "that it is surely right that this should become true for the world as a whole."

Another reason is that, as the entire area was supplied by sea, and as the numbers of ships, their capacities, and so forth, are known, there is a reasonably solid basis for calculation of the number of prisoners taken there, and of the numbers who died there. Conquest adduces a figure of 3 million deaths, "a figure," he points out, "well within the range of the Final Solution." A third reason is that, as the death rate can be clearly seen to vary with the nature of the camp regime, it can accurately be ascribed to "conscious decisions taken in Moscow" and not to the severity of the climate or geography.

WHAT CONQUEST HAS TO tell is a terrible story of degradation and death, of corruption and cruelty under the banner of socialism. Throughout, far more is implied than actually stated. There are, for instance, the implications for the condition of the Soviet economy in the remark that common criminals bribed *the guards* with bread that they

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had stolen from their fellow prisoners. There are the legal implications of a code that includes "falling under suspicion" as a crime, and of a regime that justifies arbitrary killings on the ground that the victims had displayed "ill will." There are the political implications in the fact that General Nikishov, who presided over a slave camp system *four times the size of France*, a man responsible for the deaths of millions, was made a deputy to the Supreme Soviet, a candidate member of the Central Committee, and a Hero of the Soviet Union for his "extraordinary achievements." (For "extraordinary," the Russian citation used the word *chrezvychainye*—as in *Chrezvychainaya Kommissiya*, or Cheka?) And there are the moral implications of the signs above the gates of the Kolyma camps: "Labor is a matter of Honor, Courage and Freedom." How embarrassingly close to *Arbeit Macht Frei*!

All this is reflected in the rich ironies of camp slang. Normally, when his sentence expired, a prisoner under 50 would get a new one. One man did not, but got no discharge papers either. He remained in camp with the status of "free prisoner." Common criminals were used as *Kapos*. One petty criminal posed as a multiple murderer so as to get a post of responsibility. When his fraud was discovered, he was demoted. Henceforth, the prisoners called him "the careerist." A "goner," a prisoner who has reached the end of his tether, can no longer work, and will soon die, was called a *dokhodyaga*, "one who has arrived"—as some humorously added, "at socialism."

Conquest also hints at the similarities with serfdom. Not only did the peasants of the Soviet Union lose full citizenship rights, not only were they again, through collectivization, tied to the land, but in the camps the new lords of the NKVD aped the worst of the pre-1861 *pomeshchiki*. The nine top Kolyma families had their own special shop where, even in wartime, they could obtain every luxury from oranges to American cigarettes. They lived in great houses, surrounded by private hunting grounds. Their wives dressed in Paris fashions, sewn by prisoner-seamstresses. They collected lace, tapestry work, and paintings made by prisoner-artists. They had a theater staffed by prisoner-actors, musicians, and singers. New prisoners were lined up, stripped, had their buttocks pinched, teeth, eyes, and shoulders examined by the heads of Kolyma concerns looking for (slave) labor.

Conquest tells a story of cruelty under the banner of socialism.

One major point of disagreement: central to the book is the thesis that the main aim of Kolyma was to kill people, implicitly equating it with the Nazi camps. The argument rests primarily on two quotations and the appalling death roll. It won't do. Certainly, sadists and criminals rose to high position in the NKVD, and Stalin encouraged their cruelties. Certainly millions of innocent people died. This does not mean that the *main* objective of the camps was to kill people. It merely means that, given the existence of the camps, they were a useful place to have people killed.

The Soviet camp system had a different history from the Nazi one. The Nazis had an avowed policy of exterminating the Jews. Ironically, this gave their sadists less freedom of action than their Soviet counterparts. The flowers on the station at Treblinka, the towels and soap at Auschwitz were there because extermination could be carried out faster if the Jews went willingly to the gas chamber–shower rooms. The deceptions were aimed at the victims, to make them collaborate in their own deaths.

NOT SO IN THE SOVIET Union. A Jew, after all, is a Jew from birth. A Soviet citizen became an enemy of the people only on his arrest. Fear of the indiscriminate arrests was as important politically to the regime as were the labor camps that followed. The purpose of spreading the fear was to crush what remained of private enterprise and political independence; the purpose of the camps themselves was to build socialism in a single country through the use of forced labor.

These two goals led to a process of development from Solovki, merely an isolator, to Kolyma with its economic role. Since, after 1927, free enterprise was no longer acceptable, and since there was no capital for state enterprise, slave labor was used. It may have been inefficient, but that only means that it was typical of much of Soviet industry. Still, by the 1940s Kolyma was responsible for about one-third of the world's gold production; only intermittently, if at all, were there targets for deaths. That the production targets were in any case unrealizable gave the guards the freedom to exercise their baser instincts.

The deceptions used in connection with Kolyma, although superficially like those used by the Nazis, had a different clientele in mind. Not the prisoners, but Western fellow travelers—the real frontier guards of the Soviet Union—had to remain convinced that this was the land so dear to every toiler. It was for them that the funnels of the Dalstroy ships were painted blue and white, symbolizing hope. It was for them that the NKVD guards changed into civilian clothes and hid the machine guns on the slave ships when they passed close to Japan through the La Pérouse Strait.

The success of this policy is suggested by what Conquest calls "a clownish interlude." In the summer of 1944, Vice President Henry A. Wallace, accompanied by Professor Owen Lattimore, visited Kolyma. They were enchanted. Wallace was particularly impressed by "Mr." (actually NKVD General) Nikishov and "Mr." (ditto) Goglidze; the latter they described as "a very fine man, very efficient, gentle and understanding with people." They admired the exhibitions of (prisoners') art, and the theater (staffed by prisoners). Of course, the visit was organized in true Potemkin-village style: the wooden watchtowers were pulled down everywhere the Americans were to go; prisoners were kept out of the way (except the actors, on stage); NKVD women posed as swineherds, NKVD men as miners and trade unionists, any deficiencies in their knowledge of their "jobs" being blurred by the interpreters; and the shops of Magadan, Kolyma's port city, were stocked with goods rushed in from all over Siberia. On their return, Wallace and Lattimore wrote enthusiastically of their trip. Wallace subsequently recanted and apologized. Lattimore was still defending his account in the press in 1968.

Which brings us back to the reasons for, and importance of, this book. ❑

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COLLECTED POEMS, by Basil Bunting. Oxford University Press, 152 pp., $10.95.

Packing the line

HUGH KENNER

BASIL BUNTING (BORN 1900, Northumberland, England) learned in Quaker meetinghouses or perhaps in his cradle what most of us know as a poetic discipline of the 1920s: Pack the line tight. Part of that decade's adventure was to abolish what Wyndham Lewis called "prepositions, articles, the small fry." Ordinary sentences seemed littered with Styrofoam pellets. But—

Weeping oaks grieve, chestnuts raise
mournful candles

—that was the way to do it.

That is also the opening of the earliest poem Bunting has preserved (1924); he didn't have to work toward compactness, he started from it. He's rootedly English in this; enjambment of word against word was a Saxon way in the time of the *Beowulf* poet; prattle marks a silly dissipation of attention, or a bogus-colloquial need to be liked, or both.

But it's an impacting discipline, apt to clog movement; even Bunting's movement is sometimes clogged. His way of freeing it is to let sound lead to sound, remember sound.

Drip–icicle's gone.
Slur, ratio, tone,
chime dilute what's done
as a flute clarifies song,
trembling phrase fading to pause
then glow. Solstice past,
years end crescendo.

Gone, tone, done, song, four variations on a note, all at line-ends; and *glow,* when we come to it, glows like a triumphant rhyme, though it answers to nothing more than an ambient tonality of *o*'s (and will force us to assert the final vowel of *crescendo*). Three sentences here, so compacted they're nearly crabbed, are miraculously opened up by the auditory patterning, "as a flute clarifies song"; characteristically, he states a musical analogy for what's going on.

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But it's not prose. Be guided by the lineation, and mark the accretion of sounds. "Syringa sings" tells us to listen for "—ing(s)," which sound duly recurs five times (*wings, things, trusting, wings, things*), with assonances in *hunger* and *thunder.* Also, *thrush* gets picked up in *ruffles,* then again in *thrusts, trusting, bush, list, lust.* Then

That is a detail from *Briggflatts,* which it's becoming a cliché to call the first major longish English poem since *Four Quartets* 35 years ago. The distinction is deserved. But here (in a short review) is a short poem entire:

A thrush in the syringa sings.

'Hunger ruffles my wings, fear,
lust, familiar things.

Death thrusts hard. My sons
by hawk's beak, by stones,
trusting weak wings
by cat and weasel, die.

Thunder smothers the sky.
From a shaken bush I
list familiar things,
fear, hunger, lust.'

O gay thrush!

As the syntax fan will note, that's as densely packed as 50 words can well be. "My sons by hawk's beak, by stones, trusting weak wings, by cat and weasel, die"—so runs the fourth sentence word for word in prose, and though clear it makes mannered prose indeed.

beak, introduced as late as the fifth line, finds its echo in *weak,* is dissociated into *shaken . . .*

It's an obsessed little tune, in short, that carries the burden of the thrush, and "O gay thrush!" is of course an irony. (People think it's a carefree bird, much as Keats seemed to think the nightingale—Philomel, rudely forced—poured forth her soul in ecstasy.)

But "O gay thrush" is a dissonance too. There's been no acoustic preparation for "gay"* and these three strong monosyllables would seem strayed in from some other poem but for the principle the American poet Ronald Johnson invokes when he quotes Charles Ives to elucidate this very line: "All the wrong notes are right."

ALL THE WRONG NOTES are right. The three words are simply wrong, and yet a voice that can find a way to speak them terminates the poem. And whose voice —not the voice of the thrush, which commands all the middle of the poem—spoke the first line, which said that the thrush "sings"? As the thrush

**The dictionary meaning, please.*

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Ode 7

(from the Second Book of Odes)

Ille mi par esse deo videtur

O, it is godlike to sit selfpossessed
when her chin rises and she turns to smile;
but my tongue thickens, my ears ring,
what I see is hazy.

I tremble. Walls sink in night, voices
unmeaning as wind. She only
a clear note, dazzle of light, fills
furlongs and hours

so that my limbs stir without will, lame,
I a ghost, powerless,
treading air, drowning, sucked
back into dark

unless, rafted on light or music,
drawn into her radiance, I dissolve
when her chin rises and she turns to smile.
O, it is godlike!

Ode 32

(from the First Book of Odes)

Let them remember Samangan, the bridge and tower
and rutted cobbles and the coppersmith's hammer,
where we looked out from the walls to the marble mountains,
ate and lay and were happy an hour and a night;

so that the heart never rests from love of the city
without lies or riches, whose old women
straight as girls at the well are beautiful,
its old men and its wineshops gay.

Let them remember Samangan against usurers,
cheats and cheapjacks, amongst boasters,
hideous children of cautious marriages,
those who drink in contempt of joy.

Let them remember Samangan, remember
they wept to remember the hour and go.

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does; but when we have absorbed the poem we understand "sings" differently, whether predicated of birds or of poets.

"Death thrusts hard." Bunting was saying that when he was 25, in his much-anthologized imitation of Villon:

Remember, imbeciles and wits,
sots and ascetics, fair and foul,
young girls with little tender tits,
that DEATH *is written over all. . . .*

Abelard and Eloise,
Henry the Fowler, Charlemagne,
Genée, Lopokova, all these
die, die in pain. . . .

It's been speculated that into the sequence of nine quatrains, from which these two are excerpted, he copied lines from his schoolday notebooks. If so, the schoolboy Bunting was fitfully visited by a fifteenth-century muse, since these lines, though notably short of Villon's hardness, give a more reliable impression of his tough élan than anything else in English.

And there's literally nothing else in English like *Briggflatts* (1965), a poem that in remembering an early love remembers how Wordsworth remembered things, but passes the language of remembrance through a fierce discipline to burn away the eighteenth-century decorum so restrictive to Wordsworth. A "sweet tenor bull" can dance "tiptoe" (bulls do); words like "urinal" are available at need; at one point the poem celebrates itself in celebrating Scarlatti, whose music pervades its taut harmonies:

As the player's breath warms the fipple
the tone clears.
It is time to consider how
Domenico Scarlatti
condensed so much music into so few bars
with never a crabbed turn or
congested cadence,
never a boast or a see-here; and stars
and lakes
echo him and the copse drums
out his measure,
snow peaks are lifted up in
moonlight and twilight
and the sun rises on an acknowledged
land.

As it does; and will rise so long as there's a voice to voice those elate words. ❏

MUSIC

JOHNNY HODGES AT THE SPORTPALAST, BERLIN, Pablo Live (2620-102, two volumes), $11.98.

The singing rabbit

NAT HENTOFF

AS A YOUNG MAN IN BOSTON radio during the 1940s, I wasn't in the least reticent in making conversation, on and off the air, with such personages as James Michael Curley, Jack Kennedy, and Ted Williams. Only one storied figure made me speechless. Quite literally. I was so in awe of Johnny Hodges, the alto saxophonist in Duke Ellington's band, that I could think of nothing to say to this paradigm of swinging grace that would not be unbearably gauche.

Moving smoothly from the center of the reed section, Hodges, his expression invariably immobile, would come to the mike and make his horn sing. The tone was full, clear, warm, elegantly sensuous. Indeed, no jazz altoist—before or since Hodges—so magnetically distilled the romantic impulse that is as much a part of jazz as pride, loss, anger, and just plain playfulness. But Hodges's romanticism was not at all sentimental. There was a distance to it. In "Warm Valley" or "I Got It Bad and That Ain't Good," he was observing as well as experiencing his feelings, much like a continually self-critical novelist, except that Hodges had no chance to make leisurely revisions. His art was improvisatory. A fraction of it remains on recordings; the rest is in the memories of those who heard him, somewhere or other, over the nearly 50 years of his playing life.

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Because of Hodges's total command of his horn and of the improvising process, the distance he brought to both soaring romps and moonlit ballads made them even more powerfully affecting. The most fulfilling jazz is supposed to be the most emotionally spontaneous, and very often it is. But once in a while, a musician is able to so edit as well as feel spontaneously that he swiftly maximizes, however subtly, the impact of what he's saying. In addition to Hodges, pianists Thelonious Monk and John Lewis can do that. As can guitarist Jim Hall and young trombonist George Lewis. All, like Hodges, are expert users of silence.

Accordingly, there is a wholeness, a persistent, spare cohering in just about all of Johnny Hodges's recorded solos. What also endures is his extraordinarily supple, sometimes loping, sometimes dreamlike sense of jazz time. Hodges did more than swing. He understood what the Mad Hatter knew about Time: "He won't stand beating. Now, if you only kept on good terms with him, he'd do almost anything you liked with the clock." Hodges, on very good terms with Time, could sometimes make it seem suspended. And that, as pianist-composer Cecil Taylor has said (speaking of Carmen Amaya), "is the highest compliment that can be paid to an artist—that he can make somebody else lose all sense of time, all sense of his own existence outside of the performance."

But Hodges himself never got out of time. As a teenager, I went to a dance at which the Ellington band played. Halfway through a most delicate Hodges invocation of erotic memory, a patch of the dance floor suddenly cleared and there—in menacing relief—were two young men with knives. The alto solo continued with not the slightest interruption of pulse or mood; but Hodges, his face expressionless, also never stopped watching the action which ended with a knife in one young dancer's chest. The solo still continued. No hooligans were going to interfere with *this* professional's work.

He was shy, ironic, generous. He was called "The Rabbit" because, some said, of his pleasure in kinetic romance. Not so, according to his

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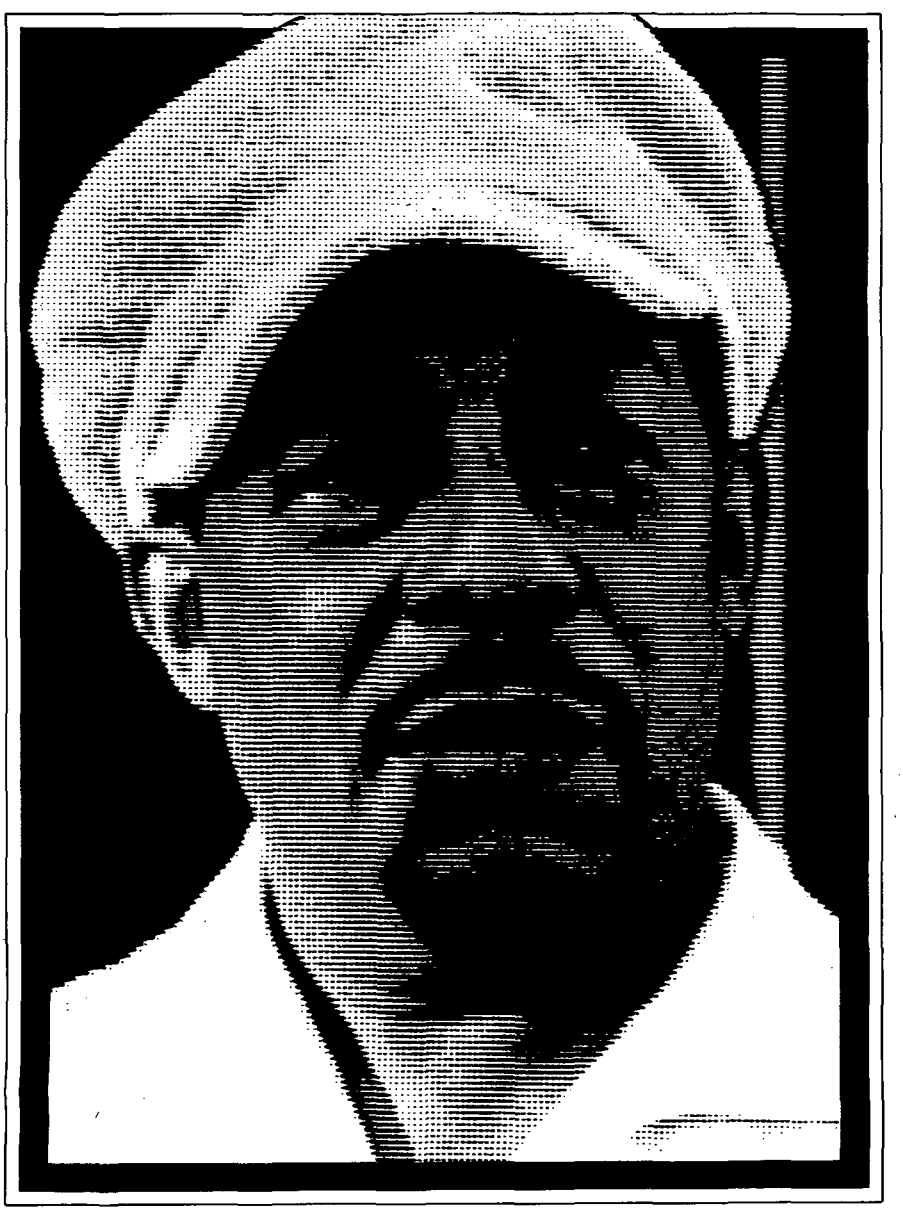
longtime colleague, baritone saxophonist Harry Carney. Hodges picked up that name, Carney insisted, because of his penchant for lettuce and tomato sandwiches. Anyway, Hodges, a short man, looked somewhat like a rabbit—but a rabbit of impregnable dignity and cool.

I NEVER SAW HIM NOT cool. Whatever was going down, Hodges figured time would have an answer. Rex Stewart, who was in the Ellington brass section, told of a rehearsal once when Duke had written down some notes for all the saxophonists. Only Johnny Hodges had no part. A less secure player might have fidgeted some at this public neglect. But as the reed section ran down the score, Hodges just sat there, calmly smoking. "Hey, Rabbit," Duke suddenly said, "give me a long slow glissando against that chord progression." Without changing his expression, Hodges took his alto and unveiled so inviting a glissando that he had become the focus of the piece.

Hodges, originally a soprano saxophonist, had two basic influences: Sidney Bechet, the force of jazz nature from New Orleans, and the equally protean Louis Armstrong, from the same source. "I just put both of them together," Hodges told historian Stanley Dance, "and used a little of whatever I thought of new." That, of course, was characteristic understatement, for Hodges created the most influential alto sax conception before Charlie Parker—nor did its luminous power diminish after Parker.

The Rabbit played with Duke Ellington from 1928 to 1951, and rejoined four years later. He died of a heart attack in a dentist's chair in 1970. Duke said accurately that "because of this great loss, our band will never sound the same." There had been previous losses of large magnitude as players left for other gigs or died, but it was true that The Rabbit's sound was wholly irreplaceable. Ellington too was a romantic, with distance, and so the two were extensions of each other. Not that Hodges ever forgot who the boss was—sometimes miming on stage the counting of currency while looking reproachfully at the piano player who decided how much bread went to whom.



These labor problems aside, The Rabbit manifestly enjoyed his many years with Duke. Even when he was on his own for a few years as a leader, Hodges's small combo sounded very much as if it were still part of Ellingtonia. And now—in an unexpected posthumous release, *Johnny Hodges at the Sportpalast, Berlin*—The Rabbit, though in charge, plays and programs the two-volume set as if Duke were there.

As it happened, Ellington was in Paris making a movie, *Paris Blues*, at the time; and to provide work for some of his sidemen, impressario Norman Granz arranged a European tour for Hodges. The Berlin concert was recorded in March 1961. Al Williams sat in for Duke on piano, and the rest of the ensemble were Ellington men: baritone saxophonist Harry Carney, trombonist Lawrence Brown, trumpeter Ray Nance, drummer Sam Woodyard, and bassist Aaron Bell. So strong a presence did each of these horns project that for much of the concert there is the compelling illusion that a full band is on hand.

IT IS THE SOLOS, HOWEVER, that make this an essential set in the Hodges/Ellington canon. Lawrence Brown, a man whose dignity equaled that of Hodges—"The Deacon," Duke Ellington called him—was as sensuously lyrical on trombone as Hodges on alto. Tommy Dorsey was much more renowned as a "singing" trombonist, but Brown was far more imaginative and, unlike Dorsey, could joyously erupt as a lusty gutbucket horn. The late Harry Carney, who was with Ellington for 45 years, provides the resilient "bottom" for the horns here with his customary huge tone. Actually, next to that of Hodges, the Carney sound was the one Ellington could least afford to lose. And Harry, always accommodating,

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died after Duke.

The rest of the improvisers are also easefully authoritative, but the dominant spirit is that of Hodges. The repertory includes numbers long identified with him—"I Got It Bad," "Things Ain't What They Used To Be," "On the Sunny Side of the Street," and Hodges's own celebratory "Good Queen Bess." Yet, there is no coasting by Hodges. A pro, he wanted the Berlin audiences to hear these fresh; and so each one is reshaped, refelt, regenerated—with Hodges playing with that awesomely serene authority that I remember marveling at when I was a boy.

And I still do. I've known many jazz musicians, and like other mortals, they cast an uneven light from time to time. The chops may go, or an afternoon clash with a woman friend may screw up the whole night's music. But The Rabbit never let you know if anything was gnawing at him. Every night, in some part of the world, he'd straggle on stand, pick up his horn, and play at the same astonishing level of jazz feeling and time as he had the night before. And the month before. And the decade before.

"Sometimes," a young musician once said, "I don't think he's quite human." And then the sound filled the room—gliding, gently diving, floating up again. A sound so human that, as Duke once said, "he could bring tears to my eyes right on the stand."

Hodges's sound was unique—gentle, floating, so human in feeling that, as the Duke once said, "he could bring tears to my eyes."

The song over, The Rabbit would make those counting-money motions, looking disdainfully at the leader.

"Oh, he was human, all right," said the Duke.

FILM

***INTERIORS*, directed by Woody Allen.**

Cries and whimpers

STEPHEN HARVEY

THERE WAS A TIME WHEN moviemakers on opposite sides of the Atlantic nurtured a healthy disdain for each other. Hollywood's mainstays viewed any Europeans who couldn't be co-opted as artsy poseurs; in turn, the Europeans tended to consider their opposite numbers as little more than primitive vulgarians. More recently, however, directors of the Old World and the New have been reciprocally afflicted with cinematic inferiority complexes. Truffaut squandered half his youth in a series of Hitchcock homages, while the early films of Godard hinted that he really wanted to be Vincente Minnelli or Howard Hawks when he grew up. Currently, Rainer Werner Fassbinder seems even more preoccupied with the business of churning out emotionally frigid melodramas than his mentor Douglas Sirk ever was.

For their part, some of the most talented American directors have vied with each other over the last 10 years to prove that their perceptions of psychic travail and of our soulless civilization can be as exquisitely bleak as that of any European master. The last thing we need is more slavish copies of the best of Bergman, Fellini, and Antonioni (something, in fact, that these three artists might themselves do well to keep in mind). Nevertheless, Robert Altman every so often has trotted out something like *Images* or *Three Women*, and Paul Mazursky gave us his *Alex in Wonderland* (with a cameo appearance by no less than Federico himself), which deserved about a two on a scale of zero to 8½, while Altman's protégé, Alan Rudolph, delivered up the uproarious self-parody *Welcome to L.A.*, a kind of *L'Eclisse* with palm trees.

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The problem with these misbegotten efforts—both American and European—is that, in pursuing some narrow definition of true cinematic art, they all cavalierly toss aside their own distinctive strengths. In these cases, imitation may be intended as the highest form of flattery, but the results have for the most part been merely empty travesties, demeaning both the imitators and the masterworks they profess to admire. It's especially dismaying that a moviemaker as canny as Woody Allen should succumb to the same fate, but that's precisely what he's done with *Interiors*, his latest film and incidentally the first in which he himself does not appear. Although he doubtless meant the film as a personal statement of great artistic import, *Interiors* strikes me as the most lightweight movie he's ever made.

If it weren't for the change in language and milieu, you'd swear that Allen had infiltrated a story conference at Svensk Filmindustri. The cast of characters is comprised of two generations of a cultured, affluent, and emotionally tormented family. At the center are three sisters: Renata (Diane Keaton), a gifted poet married to a second-rate novelist (Richard Jordan); Joey (Marybeth Hurt), a woebegone dilettante wedded to a documentary filmmaker (Sam Waterston); and Flyn (Kristin Griffith), a nubile if vapid TV actress. Mother (Geraldine Page) is an interior decorator in the throes of a nervous breakdown, which is aggravated when she is discarded by Father (E. G. Marshall), who is seeking fulfillment through a newly formed attachment to the vivacious Pearl (Maureen Stapleton).

THE STRUCTURE AND substance of *Interiors* are highly suggestive of Bergman—a tightly closed circle of antagonists, sealed off from the larger world out-

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side, all resentfully shackled to each other by their emotional dependencies, each in turn denying the others the succor they all need but are incapable of giving. The cadences are the same—ominous, mournful silences sporadically exploding into verbal attacks to the jugular. With its meticulously controlled palette of colors, *Interiors* even looks like a Bergman movie—while his hero painted *Cries and Whispers* in icy whites and carnal reds, Allen reduces the spectrum to neutral grays, beiges, and earth tones in order to symbolize the repression borne by the inhabitants of *Interiors*.

Anyone really familiar with Bergman would have a hard time finding much that's fresh and moving in *Interiors*. It's useless to copy his interpersonal motifs unless you can recreate the intense emotional climate, specific to Bergman, which gives them weight and logical inevitability. That's why all the conflicts in *Interiors* seem so painfully schematic—you see the acts of psychic aggression and subsequent scurryings for cover practically before they happen. Even if you weren't constantly being told, you'd expect that Joey would languish for Mother's affections while rejecting Father, who in turn neglects solicitous Renata, Mother's favorite, ad infinitum.

The details of character which do distinguish *Interiors* from its source are scarcely more original—Renata's writer's block and teary self-criticism are out of a watered-down sketch of Sylvia Plath, while her husband's boozy lechery and self-pity resemble every cliché of the macho American man of letters from Hemingway through Mailer. Some sort of new low in symbolism is reached during the dispirited celebration of Father's nuptials with Pearl—the rambunctious bride simply has to topple Mother's precious vase to the floor practically before you see it, because, as with Laura's unicorn in *The Glass Menagerie*, fragile things and the people they represent are just made to be broken by the crudely life-affirming. Even the climactic suicide by drowning, although masterfully executed by Allen and his cameraman, Gordon Willis, has been used so often—from *Humoresque* through *A Star is Born* and *Coming Home*—that by now its pathos is diluted almost to nothing.

Worse yet, Allen has assumed even those attributes of Bergman's that Bergman would be better off without—namely his utter humorlessness, the self-aware overarticulateness of the lifelong analysand, plus his willful insistence that the audience should take his creations' dilemmas every bit as seriously as the characters do themselves. All of which, of course, runs contrary to Allen's unique qualities as a film artist of the first rank. He's the peerless interpreter of modern malaise because he not only identifies with it so completely, but is able to step back and analyze it by means of his thoroughgoing sense of the ridiculous.

There's not a single somber motif in *Interiors*—the death obsessions, the creative artist's struggle, the inability to form satisfying permanent attachments—that he didn't deal with more tellingly in *Annie Hall*. It was precisely because we saw them through the director's ironic eye that we could put up with the Keaton-Allen travails long enough to come to take them seriously. But the undiluted kvetching which *Interiors* indulges in makes any compassion or identification on the part of the audience redundant, if not impossible. Moreover, until now Allen's characters seemed real because they sounded so genuine—no one can match his ear for idiosyncratic urban small talk. Yet almost all of *Interiors* sounds as though it might have been laboriously translated from the Swedish—I don't know when there was last an American movie in which the dialogue was so totally unidiomatic.

EDWARD CARBAJAL

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IN A WAY, IT'S ALLEN'S OWN past mastery of satire which makes it so hard to take *Interiors* at face value. One of the great moments in *Love and Death* was Keaton's observation that one of Woody's endless philosophical treatises was "incredibly jejune." Most of what she is forced to utter here is incredibly jejune too, but this time there's no one around to say so. Allen has sent up Bergman's excesses so brilliantly in past movies that it seems almost a betrayal on his part finally to serve them up straight and expect the audience to respond in kind.

It's only natural for moviegoers to bring along their past associations to any new work by a major director, and the farcical antecedents of so much of what takes place in *Interiors* keep getting in the way of Allen's newly sober intentions. When Flyn takes a decorous snort of cocaine (just before she is nearly raped by Renata's husband), the mind immediately flashes back to Woody's thousand-dollar sneeze in *Annie Hall*. Renata is simply Annie bereft of charm and punchlines; the silent family dinners cry out for a split-screen interruption from their kosher counterparts cowering in the shack beneath the Steeplechase at Coney Island.

Under the circumstances, it's no wonder that the performances are as stilted as everything else in *Interiors*. Allen made a calamitous error in trying to transform Keaton into a variation on Liv Ullmann; in her first scene, she's even posed in a chair facing the camera while reciting her tragic family litany to an unseen confessor, just as Ullmann did in *Hour of the Wolf*. She seems forever signaling her inner turmoil by pressing thumb and forefinger to her sinuses and twisting her mouth into a sour grimace—I never would have thought her capable of such a lackluster, monotonous performance. Marshall painstakingly recites every line as if he had learned the part phonetically, while Page dusts off her repertoire of whines and twitches, presumably validated here because the role assigned to her is that of a card-carrying neurotic. Only Maureen Stapleton emerges with any real honor, largely because Pearl is so robust and sensible that her arrival halfway through the film is a relief for the viewer, who by then has had to endure a whole hour of this family's nonstop attitudes of misery.

With someone as prodigiously gifted as Woody Allen, it's easy to understand how, after a certain point, the mantle of the perennial funnyman could come to feel like a straitjacket. I can sympathize with his desire to test the boundaries of his talent, and there's no denying the daring of an enterprise like *Interiors*. Let's hope that the experience was sufficiently cathartic to restore his natural tragicomic equilibrium. At the same time, *Interiors* is so consistently of a piece that it's just possible he's ever so subtly been putting everyone on, Bergman included. In which case, it would be Allen who had the last laugh after all. ❏

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